



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

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § REINSTATEMENT
License Number 815932 §
issued to ROBIN LEIGH GONZALEZ § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Registered Nurse License Number 815932, held by ROBIN LEIGH GONZALEZ, hereinafter referred to as Petitioner.

An informal conference was conducted on April 26, 2016, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code. Petitioner appeared in person.

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(s).
2. Petitioner waived counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from Grayson County College, Denison, Texas on December 9, 2011. Petitioner was licensed to practice professional nursing in the State of Texas on March 8, 2012.
4. Petitioner has not been employed in nursing since issuance of her license on March 8, 2012.
5. On October 20, 2010, Petitioner was issued an Agreed Eligibility Order by the Texas Board of Nursing requiring her to enter and successfully complete the Texas Pccr Assistance Program for Nurses (TPAPN). A copy of the October 20, 2010, Agreed Eligibility Order, Findings of Fact, and Conclusions of Law is attached and incorporated herein by reference as part of this Order.
6. On February 8, 2013, the Board accepted the Voluntary Surrender of Petitioner's license to practice professional nursing in the State of Texas through an Agreed Order. A copy of the February 8, 2013, Agreed Order, Findings of Facts and Conclusions of Law is attached and incorporated herein by reference as part of this Order.

7. On or about November 3, 2015, 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 his petition:

8.1. Letter of support, dated October 19, 2015, from Nancy Kifer Lee, Denison, Texas, stating she has gotten to know Petitioner well for the past year in the Texoma Group #1 of Alcoholics Anonymous in Denison, Texas. Ms. Lee has been a fellow member in this group for the past year and a member of AA since 1987. Petitioner has demonstrated a conviction to stay sober during the past year by attending several meetings on a weekly basis, working with a strong sponsor on a daily basis, and completing the recommended 12 steps of Alcoholics Anonymous. Ms. Lee believes Petitioner is self-motivated and a true team player in her women's AA discussion group on Tuesday and Thursday nights.

8.2. Letter of support, dated October 15, 2015, from Darla J. Burton, LPC, Stonebridge Family Counseling, Sherman, Texas, stating Petitioner initiated individual counseling with her to address her alcohol recovery and to strengthen her own coping skills. Petitioner had struggled with some depression and anxiety which was impacting her life in a negative manner. Through counseling and actively working the 12-Step program in the local AA chapter, she has acquired the tools necessary to help her achieve sobriety. Petitioner has actively been learning her own stressors/triggers and engaging in healthy coping skills to manage a healthier life.

8.3. Letter of support, dated October 23, 2015, from Tommilyn Barnett, Bells, Texas, stating she has been sober for more than eight (8) years and has been working with Petitioner as her AA sponsor for the last year. Petitioner has been completely willing to follow any and all of her suggestions. Petitioner has worked through the twelve steps of the AA program. She attends meetings every week, she works with others, does service work, sponsors newcomers, and chairs meetings. Ms. Barnett explains Petitioner has grown tremendously over the past year in all aspects of her life. She has pulled herself up financially, emotionally and spiritually. Ms. Barnett is proud to call Petitioner her friend.

8.4. Letter of support, dated October 22, 2015, from Maria Massie, stating she knows Petitioner from the AA meeting hall where they both attend meetings. They will both be celebrating their AA birthdays at the end of the month; Ms. Massie will pick up her twenty (26) year medallion and Petitioner will be getting her one (1) year medallion. Petitioner strives to learn. She asks questions to gain more knowledge and understanding to improve performance in all she does. Ms. Massie states Petitioner is friendly, outgoing, and a team player with a very strong work ethic. Petitioner is caring and compassionate individual who makes time for others. She is very dedicated and would be a great asset to the nursing field.

- 8.5. Letter of support, dated October 21, 2015, from Terri Hayes, stating she met Petitioner at Refuge Church where they both attend. They have prayed together on Monday nights at their prayer group. ~~Petitioner also attends a recovery class that Ms. Hayes and her husband teach at Four Rivers Outreach in Sherman, Texas.~~ Petitioner has been working hard on her recovery from alcohol. It is evident by her life that she has been changed from working the steps of AA and surrendering to God. Petitioner participates in Ms. Hayes recovery class and encourages others.
- 8.6. Letter of support, from Leigh Perkins, Bells, Texas, stating she has known Petitioner for several years and has seen her grown a great deal. Petitioner is a woman of strong values and wants to change for the better on a daily basis. Ms. Perkins believes Petitioner is continually working to improve her spiritual walk and her recovery. She attends and chairs AA meetings. She welcomes newcomers and makes herself available to sponsor them.
- 8.7. Letter of support, from David James Shirley, stating Petitioner came to Serenity in 2013 to seek guidance in recovery. Petitioner is an active and wise participant in both her recovery as well as a strong mentor for those who are new to the program. Her strength has come from the calmness she demonstrates when life has challenged her. It is evident that Petitioner does practice the principals of the recovery program in all areas of her life by sharing the challenges she has faced and how she overcame those obstacles by applying the fundamental lessons we learn in completing, yet constantly redoing our 12 step program. Petitioner's presence and input at their daily meetings is deeply appreciated and she is repeatedly thanked for the experience and strength she shares with them.
- 8.8. Letter of support, dated September 23, 2015, from Buffy Dungan, Home Instead Senior Care, Sherman, Texas, stating Petitioner has been employed with their company since June 2014. Petitioner has worked with twelve (12) different clients since that time. Petitioner has cared for clients with diagnoses of diabetes, cancer, Parkinson's disease, S/P CVA, A/P knee replacement and others. Petitioner has demonstrated proficiency in dealing with hospice clients, clients who are bed bound and clients who require incontinence care. Besides being skilled in non-medical care, she is excellent at interacting with their clients, providing them companionship and comfort as needed. Petitioner is an ideal care giver, being flexible and able to adapt to any and every situation.
- 8.9. Letter of support, from Pat May, Fort Worth, Texas, stating Petitioner has been a care giver for her 97 year old mother, Lucille, for the past year. On a scale of 1 to 10, she is a 15. Excellent people skills, a self starter, thinks outside the box, punctual, and very caring. Ms. May says they could not be more pleased. If Ms. May were not retired, and Petitioner were not caring for her mother, she would offer her a job in a heartbeat.

- 8.10. Letter of support, dated September 25, 2015, from Charles E. Graham, Southmayd, Texas, ~~stating Petitioner has been helping care for his wife, Johnnie for the last year.~~ He is very pleased with the care she has provided. Petitioner is very attentive, provides excellent meals, and necessary hygiene care during and after bathroom visits and is expert at that. She assists his wife in the eating process as needed. Petitioner helps with certain exercises from the speech pathologist and physical therapist on days when they don't visit. Mr. Graham says routine chores such as bed making, laundry and house cleaning are done in an expert fashion.
- 8.11. Letter of support, from Larry Goodwin, Pastor, The Refuge, Denison, Texas, stating Petitioner has been a member of their church for the past three (3) years and in that time he has personally witnessed great growth and progress in her life. Petitioner has worked hard to restore her life to its intended purpose which, she strongly believes, is nursing, and part of that restoration process includes her sobriety and her competency to care and act on behalf of those in and under her care. During the past 3 years Petitioner has continually worked to put herself in and around environments and people who contribute to her growth, spiritually, mentally, intellectually and emotionally. Hardworking, caring, determined and resilient are just a few of the adjectives Pastor Goodwin would use to describe Petitioner and he believes that she would be a tremendous asset to any organization she is permitted to serve.
- 8.12. Letter of support, dated October 19, 2015, from Norman A. Deis, Licensed Massage Therapist, stating he has known Petitioner for about ten (10) years. Petitioner first came to Mr. Deis as a patient and their friendship developed from the beginning. During the past several years, Petitioner has shown her strength, determination and caring nature in spite of less than optimum circumstances in her life. Petitioner's willingness to discuss life situations has led Mr. Deis to find her a caring individual, often putting others' well-being before her own. Mr. Deis believes to most impressive value in Petitioner's life is her willingness to care for others; she seems to be a natural care giver even in difficult situations.
- 8.13. Seven (7) negative drug screens collected monthly from September 2015 through March 2016.
- 8.14. Documentation of support group meetings dating from October 21, 2014 through October 21, 2015.
- 8.15. Documentation of the required continuing education contact hours.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.
10. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.

11. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. 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.
3. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF LICENSURE

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of ROBIN LEIGH GONZALEZ for reinstatement of license to practice nursing in the state of Texas be **GRANTED** and Registered Nurse License Number 815932 is hereby **REINSTATED** in accordance with the terms of this Order.

II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and 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.

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

- B. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. ~~PETITIONER 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 PETITIONER wishes to work.~~

III. NURSING REFRESHER COURSE

Prior to practicing as a professional nurse, PETITIONER SHALL successfully complete a Board-approved nursing refresher course and in addition to any other courses stipulated in this Order or continuing education requirements the Board may require for licensure renewal.

- A. 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.
- B. PETITIONER SHALL obtain Board approval of the nursing refresher course prior to enrollment. In order for the course to be approved, the target audience shall include Nurses. The course's content shall include: 1) the role of the 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 routes of administration; 5) documentation, quality assurance and legal implications for nursing practice; and 6) current CPR certification. This course shall include a minimum of the clinical components, providing direct patient care supervised by another registered nurse, as stated on the Board's website, http://www.bon.texas.gov/pdfs/forms_pdfs/applications_pdfs/6mnth_pdfs/6mth-rn.pdf. Home study courses and video programs will not be approved.
- C. 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.

IV. REMEDIAL EDUCATION COURSE(S)

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

licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of relicensure, unless otherwise specifically indicated:**

- A. **A Board-approved 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), PETITIONER 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. PETITIONER 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.*

V. MONITORING FEE

PETITIONER SHALL **pay a monitoring fee in the amount of five hundred dollars (\$500.00) within forty-five (45) 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.

VI. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER must work as a nurse, providing direct patient care in a clinical 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:** PETITIONER SHALL notify each present employer in nursing and present each with a complete copy of this of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, PETITIONER SHALL notify all future employers in nursing and present each with a complete copy of this of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** PETITIONER 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. PETITIONER 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, PETITIONER 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 PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER 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, PETITIONER 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 PETITIONER is regularly assigned.
- E. No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER 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, PETITIONER 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 stipulation period, PETITIONER 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 PETITIONER, 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 PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- H. Nursing Performance Evaluations:** PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the nurse who supervises the PETITIONER 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.

VII. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, PETITIONER 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, PETITIONER 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 PETITIONER 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, PETITIONER 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 PETITIONER obtains employment and submits the Notification of Employment form to the Board.

- For the first three (3) month [1st quarter] period PETITIONER 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 stipulation 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 PETITIONER 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. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation period.

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

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

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

Consequences of Positive or Missed Screens. Any positive result for which PETITIONER does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject PETITIONER to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER'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, PETITIONER 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. PETITIONER 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 PETITIONER. PETITIONER 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.

VIII. THERAPY

While working as a nurse under the terms of this Order, RESPONDENT SHALL participate in therapy with a professional counselor approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT'S progress in therapy, rehabilitation and capability to safely practice nursing. The report must indicate whether or not the RESPONDENT'S stability is sufficient to provide direct patient care safely. For the first three (3) month quarterly period RESPONDENT works as a nurse under the terms of this Order, reports are to be submitted to the Board each and every month. If therapy is recommended by the counselor for an additional period of time, the reports shall then be submitted to the Board at the end of each three (3) month quarterly period in which the RESPONDENT is working as a nurse under the terms of this Order, for the remainder of the term of the Order, or until RESPONDENT is dismissed from therapy, whichever is earlier.

IX. RESTORATION OF UNENCUMBERED LICENSE(S)

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

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 vocational nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

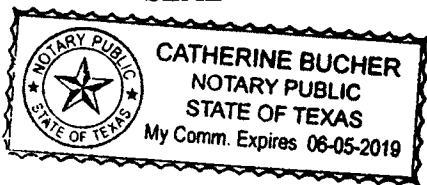
Signed this 17th day of June, 2016

Robin Leigh Gonzalez
ROBIN LEIGH GONZALEZ, Petitioner

Sworn to and subscribed before me this 17th day of June, 2016

Catherine Bucher
Notary Public in and for the State of Texas

SEAL



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 7th day of June, 2016, by ROBIN LEIGH GONZALEZ, Registered Nurse License Number 815932, and said Order is final.

Effective this 21st day of July, 2016.



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 License Number 815932 §
issued to ROBIN LEIGH GONZALEZ §

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.
[Signature]
Executive Director of the Board

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 815932, issued to ROBIN LEIGH GONZALEZ, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent's license to practice professional nursing in the State of Texas is currently in suspended status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Grayson County College, Denison, Texas on December 9, 2011. Respondent was licensed to practice professional nursing in the State of Texas on March 8, 2012.
4. Respondent's professional nursing employment history is unknown.
5. On or about October 20, 2010, Respondent was issued an Agreed Eligibility Order by the Texas Board of Nursing which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Finding of Fact, Conclusions of Law and Order dated October 20, 2010, is attached and incorporated herein by reference as part of this Order.

6. In a letter dated December 10, 2012, Respondent was notified by the Board of the following alleged violation of the Nursing Practice Act of the State of Texas:

On or about October 9, 2012, Respondent became non-compliant with the Agreed Eligibility Order issued to her by the Texas Board of Nursing on October 20, 2010. Non-compliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) contract in that she submitted a specimen for a drug screen which resulted positive for Ethyl Glucuronide (EtG) and Ethyl Sulfate (EtS). Stipulation Number Three (3) of the Agreed Eligibility Order dated October 20, 2010, states:

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

On or about November 14, 2012, Respondent was dismissed from TPAPN and referred to the Texas Board of Nursing.

7. On or about February 4, 2013, the Board issued an Order of Temporary Suspension of Respondent's license to practice professional nursing in the State of Texas. A copy of the Order of Temporary Suspension, dated February 4, 2013, is attached and incorporated, by reference, as part of this Order.
8. On February 8, 2013, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated February 6, 2013, is attached and incorporated herein by reference as part of this Order.
9. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
10. 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(9) & (11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) & (10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 815932, heretofore issued to ROBIN LEIGH GONZALEZ, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 815932, heretofore issued to ROBIN LEIGH GONZALEZ, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 8th day of February, 2013.

TEXAS BOARD OF NURSING



By:

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

2-6-13

Tx Board of Nursing:

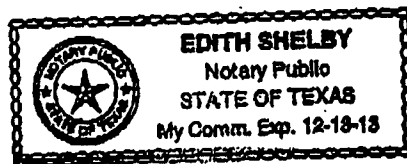
I, Robin Gonzalez, Lisc. #815932,
surrender my RN Lisc. due
to my TPAPN termination.

Robin Gonzalez

State of Texas
County of Grayson

Sworn to and subscribed before me the 6th
day of February, 2013.

Edith Shelby
Notary



In the Matter of § BEFORE THE TEXAS
Permanent Registered Nurse §
License Number 815932 §
Issued to ROBIN LEIGH GONZALEZ, §
Respondent § BOARD OF NURSING

ORDER OF TEMPORARY SUSPENSION

TO: ROBIN LEIGH GONZALEZ
1002 SWANNER DRIVE
HOWE, TX 75459

A public meeting of the Texas Board of Nursing was held on February 4, 2013 at 333 Guadalupe, Room 3-460, Austin, Texas, in which the Temporary Suspension of Permanent Registered Nurse License Number 815932, issued to ROBIN LEIGH GONZALEZ 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 ROBIN LEIGH GONZALEZ 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 October 9, 2012, Respondent became non-compliant with the Agreed Eligibility Order issued to her by the Texas Board of Nursing on October 20, 2010. Non-compliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) contract in that she submitted a specimen for a drug screen which resulted positive for Ethyl Glucuronide (EtG) and Ethyl Sulfate (EtS). Stipulation Number Three (3) of the Agreed Eligibility Order dated October 20, 2010, states:

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

On or about November 14, 2012, Respondent was dismissed from TPAPN and referred to ~~the Texas Board of Nursing. A copy of the Findings of Fact, Conclusions of Law, and Agreed~~ Eligibility Order dated October 20, 2010, is attached and incorporated, by reference, as part of this pleading.


The Texas Board of Nursing further finds that, given the nature of the charges concerning fitness to practice, the continued practice of nursing by ROBIN LEIGH GONZALEZ constitutes a continuing and imminent threat to public welfare and that the temporary suspension of Permanent Registered Nurse License Number 815932, is justified pursuant to Section 301.4551, TEXAS OCCUPATIONS CODE.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 815932, issued to ROBIN LEIGH GONZALEZ, 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 61st day following the date of the entry of this order.

Entered this 4TH day of February, 2013.

TEXAS BOARD OF NURSING

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

BEFORE THE TEXAS BOARD OF NURSING



In the Matter of
ROBIN LEIGH GONZALEZ,
PETITIONER for Eligibility for Licensure

§
§
§

AGREED

ELIGIBILITY 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.
Katherine A. Thomas
Executive Director of the Board

On this day the Texas Board of Nursing, hereinafter referred to as the B considered the Petition for Declaratory Order and supporting documents filed by ROBIN LEIGH GONZALEZ, hereinafter referred to as PETITIONER, together with any documents and information gathered by staff and Petitioner's Certification contained herein.

Information received by the Board produced evidence that PETITIONER may be ineligible for licensure pursuant to Sections 301.452(b)(10&(12) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on July 5, 2010, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about October 7, 2009, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
2. Petitioner waived representation by counsel, informal proceedings, notice and hearing, and consented to the entry of this Order.
3. Petitioner was planning on enrolling in an Associate Degree Nursing Program at Grayson County College, Denison, Texas, at the time fo this petition.

4. Petitioner completed the Petition for Declaratory Order and answered "yes" to the question which reads as follows: "For any criminal offense, including those pending appeal, have you:

- A. been convicted of a misdemeanor?
- B. been convicted of a felony?
- C. pled *nolo contendere*, no contest, or guilty?
- D. received deferred adjudication?
- E. been placed on community supervision or court-ordered probation, whether or not adjudicated guilty?
- F. been sentenced to serve jail or prison time? court-ordered confinement?
- G. been granted pre-trial diversion?
- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?
- J. been subject of a court-martial; Article 15 violation; or received any form of military judgment/punishment/action?

(You may only exclude Class C misdemeanor traffic violations.)

5. Petitioner disclosed the following criminal history, to wit:

On or about October 22, 1987, Petitioner was arrested for DRIVING WHILE INTOXICATED in Virginia Beach, Virginia. Petitioner was subsequently convicted in District Court, Virginia Beach, Virginia. She was required to attend ASAP meetings.

6. There is no evidence of any subsequent criminal conduct.
7. Petitioner completed the Petition for Declaratory Order and answered "yes" to the question which reads: "Within the past five (5) years have you been diagnosed with, treated, or hospitalized for schizophrenia and/or psychotic disorders, bipolar disorder, paranoid personality disorder, antisocial personality disorder, or borderline personality disorder?"
8. In a letter dated September 14, 2009, from Dr. Robert E. Holmes, Psychologist, of The Minirth Clinic, Richardson, Texas, he states that he has known Petitioner for five years. During that time she has consistently demonstrated a commitment to self-actualization and becoming a positive role model. He states that she is knowledgeable of rehabilitation efforts. She is committed to a relapse prevention plan, which in part requires her to continue to make follow-up appointments with Dr. Holmes for the next 12 months planning on seeing him every six weeks. She is to call or e-mail Dr. Holmes in the event of a crisis and she will be scheduled for an emergency appointment. Dr. Holmes goes on to say that Petitioner is one of his success stories. He states her drug use was a defense against the pain of unresolved issues from her past, with limited coping skills for dealing with that pain. Her therapy has given her the behavioral and cognitive assessment to allow her to deal with the stresses of life in a proactive way. He states she is not one of those who will need support group attendance for life. Dr. Holmes highly recommends Petitioner to the state licensing board as someone who is very emotionally healthy.

9. ~~The safety of patients and the public requires that all persons licensed to practice nursing be fit, and able to consistently practice nursing in autonomous roles under demanding and stressful conditions.~~
10. Petitioner has sworn that, with the exception of matters disclosed in connection with the Petition for Declaratory Order, her past behavior conforms to the Board's professional character requirements at 22 TEX. ADMIN. CODE §213.27.
11. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
12. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character.
13. The Executive Director considered evidence of Petitioner's past criminal conduct in light of the considerations and criteria provided in 22 TEX. ADMIN. CODE §§213.28 & 213.33, and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
14. The Executive Director considered evidence of Petitioner's mental illness and subsequent treatment as provided in 22 TEX. ADMIN. CODE §213.29 and in accordance with 22 TEX. ADMIN. CODE §213.33.
15. Petitioner's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.
16. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Petitioner's disclosures.
17. Petitioner has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.
18. Petitioner shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Sections 301.452 and 301.453, Texas Occupations Code.

2. On or about October 7, 2009, PETITIONER submitted a Petition for Declaratory Order requesting a determination of eligibility for licensure in compliance with Sections 301.252, 301.253, 301.257 and 301.258, Texas Occupations Code, and the Board's Rules at 22 TEX. ADMIN. CODE §213.30.
3. Petitioner's history reflects conduct which may constitute grounds for denial of a license under Section 301.452(b)(10)&(12), Texas Occupations Code.
4. The Board may probate the denial of a license under conditions for a specified term pursuant to Section 301.453, Texas Occupations Code.
5. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 TEX. ADMIN. CODE §213.28 and evaluating the direct relationship to nursing according to 22 TEX. ADMIN. CODE §213.28 and, if applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
6. The Board may license an individual who has a history of mental illness after consideration of the criteria set out in 22 TEX. ADMIN. CODE §213.29 if the Board determines the individual does not pose a direct threat to the health and safety of patients or the public.
7. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
8. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.
9. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

ORDER

NOW, THEREFORE, IT IS AGREED that, upon meeting the requirements for graduation of an appropriate program in nursing education and payment of any required fees, PETITIONER is ELIGIBLE to sit for the National Council Licensure Examination for Registered Nurses (NCLEX-RN® Examination), as applicable.

IT IS FURTHER AGREED that PETITIONER SHALL NOT be eligible for temporary authorization to practice as a Graduate Nurse (GN), as applicable, in the State of Texas.

IT IS FURTHER AGREED that, upon payment of any required fees and upon attaining a passing grade on the appropriate National Council Licensure Examination, PETITIONER shall be issued the applicable license to practice nursing in the State of Texas, and all licenses issued to PETITIONER shall be subject to the following stipulations:

PETITIONER SHALL obtain and read the Texas Nursing Practice Act and the Rules and Regulations Relating to Nurse Education, Licensure, and Practice.

PETITIONER 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 this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while PETITIONER'S license(s) is/are encumbered by this Order, PETITIONER 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 PETITIONER wishes to work.

NOW, THEREFORE, IT IS FURTHER AGREED and ORDERED that PETITIONER SHALL comply with the following conditions for such a time as is required for PETITIONER to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) PETITIONER SHALL, within forty-five (45) days of licensure, 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 (\$500.00) payable to TPAPN.

(2) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

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

(4) PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing 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 disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or revocation of PETITIONER'S license(s) and nurse compact licensure privileges, if any, to practice nursing in the State of Texas.

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PETITIONER'S CERTIFICATION

~~I am the Petitioner in this matter.~~ I have fully and truthfully disclosed all of my past conduct which could constitute grounds for licensure ineligibility, and I have caused a complete and accurate criminal history to be submitted to the Texas Board of Nursing from each jurisdiction in which I have been adjudged guilty by way of conviction or deferred order. I certify that my past behavior, except as disclosed in my application and/or petition, has been in conformity with the Board's character rule. I have provided the Board with complete and accurate documentation of my past conduct in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application and/or petition, I acknowledge that I have read and I understand Sections 301.157(d), 301.252, 301.253, 301.257, 301.258, 301.260, 301.452, and 301.453, Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code, and 22 TEX. ADMIN. CODE §§213.27, 213.28, 213.29, and 213.30. I agree with all terms of this Order, including the Findings of Fact and Conclusions of Law and any stipulations as set out in this Order. I acknowledge that this Order is stipulated and I understand that I am not eligible to receive a Temporary Permit to practice nursing. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to accepting any license from the Texas Board of Nursing.

I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of my potential ineligibility for licensure through peer assistance.

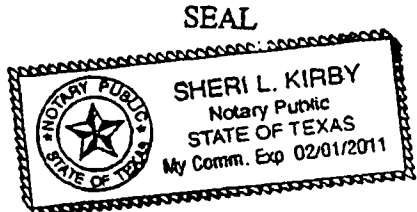
I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of my license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Texas Board of Nursing ratify this Order.

Signed this 22 day of Sept., 2010.
Robin Leigh Gonzalez
ROBIN LEIGH GONZALEZ, PETITIONER

Sworn to and subscribed before me this 22nd day of Sept., 2010.


Sheri Kirby
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the

Texas Board of Nursing does hereby ratify and adopt the Agreed Eligibility Order that was signed on the 22nd day of September, 2010, by ROBIN LEIGH GONZALEZ, PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this 20th day of October, 2010.



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