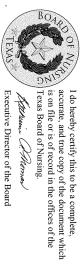
#### BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of
Registered Nurse License Number 819240
& Vocational Nurse License Number 214588
issued to TRECHELLE TRANESE LEFLORE



#### ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TRECHELLE TRANESE LEFLORE, Registered Nurse License Number 819240 and Vocational Nurse License Number 214588, hereinafter referred to as Respondent.

This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Order.

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

#### FINDINGS OF FACT

- 1. Respondent's license to practice as a vocational nurse in the State of Texas is in inactive status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
- 2. Respondent waived notice and hearing, and agreed to the entry of this Order.
- 3. Respondent received a Certificate in Vocational Nursing from Concord Career Institute, Arlington, Texas, on December 20, 2007, and received an Associate Degree from Weatherford College, Weatherford, Texas, on May 12, 2012. Respondent was licensed to practice vocational nursing in the State of Texas on February 7, 2008, and was licensed to practice professional nursing in the State of Texas on June 14, 2012.

4. Respondent's nursing employment history includes:

03/08-12/08	LVN	Kindred Hospital Fort Worth, Texas
12/09-03/10	LVN	Health South City View Fort Worth, Texas
04/10-06/10	Unknown	
07/10-08/10	LVN	Crescent Senior Care, LLC Weatherford, Texas
09/10-08/12	Unknown	
09/12-01/13	RN	Parkland Health and Hospital System Dallas, Texas
02/13-01/14	Unknown	
02/14-07/15	RN	Ochsner Health System Jefferson, Louisiana
08/15-10/15	RN	Weatherford Regional Medical Center Weatherford, Texas
11/15-Present	Unknown	

- 5. On or about March 8, 2011, Respondent was issued an Agreed Order by the Texas Board of Nursing. Respondent failed to complete the terms of this order. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order is attached by reference as part of this order.
- 6. On or about May 7, 2012, Respondent was issued an Agreed Order for Discipline and Eligibility by the Texas Board of Nursing. Respondent has not completed the terms of this order. A copy of the Findings of Fact, Conclusions of Law, and Agreed Order is attached by reference as part of this order.
- 7. At the time of the initial incident, Respondent was employed as a Registered Nurse with Weatherford Regional Medical Center, Weatherford, Texas, and had been in that position for approximately two (2) months.
- 8. On or about October 13, 2015, while employed as a Registered Nurse with Weatherford Regional Medical Center, Weatherford, Texas, Respondent engaged in the intemperate use

of Fioricet, Hydrocodone, and Flexeril in that she submitted a specimen for a drug screen which resulted positive for Barbiturates and Opiates, specifically Fioricet, Hydrocodone, and Flexeril. Further, Respondent admitted to taking a Fioricet tablet prescribed to her mother for a migraine, and a Hydrocodone and Flexeril tablet prescribed to her stepfather for back pain. Unlawful possession of Fioricet, Hydrocodone, and Flexeril, is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Morphine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

- 9. In response to Finding of Fact Number Eight (8), Respondent states this was a one time occurrence, and the controlled substances were not used in excess or for an extended period of time. Respondent states she takes full responsibility for this isolated incident and admits it was due to a lack of judgment and financial hardships.
- 10. On or about December 2, 2015, Respondent completed a chemical dependency evaluation with Dr. Emily Fallis. Dr. Fallis opines Respondent does not qualify for a diagnosis of substance abuse and does not need substance abuse treatment. Dr. Fallis states Respondent might benefit from a refresher course in professional standards and ethics. Dr. Fallis states Respondent demonstrated no evidence of a substance abuse disorder and has a low to moderate risk of engaging in behaviors which the Board of Nursing has identified as constituting unprofessional conduct.
- 11. 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.
- 12. Formal Charges were filed on June 8, 2016.
- 13. Formal Charges were mailed to Respondent on June 14, 2016.
- 14. On November 16, 2016, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated November 16, 2016, is attached and incorporated herein by reference as part of this Order.
- 15. 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.
- 16. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

#### **CONCLUSIONS OF LAW**

- 1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
- 2. Notice was served in accordance with law.
- 3. The evidence received is sufficient to prove violation(s) of 22 Tex. ADMIN. CODE § 217.11(1)(A)&(1)(B) and 22 Tex. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(5),(10)(A)&(10)(D).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 819240 and Vocational Nurse License Number 214588, heretofore issued to TRECHELLE TRANESE LEFLORE, including revocation of Respondent's license(s) to practice nursing in the State of Texas.
- 5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
- 6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
- 7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

#### TERMS OF ORDER

NOW, THEREFORE, IT IS ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 819240 and Vocational Nurse License Number 214588, heretofore issued to TRECHELLE TRANESE LEFLORE, 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/registered nursing, use the title "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 practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
- 3. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
  - A. At least one (1) year has elapsed from the date of this Order; and,
  - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
- 4. 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 16th day of November, 2016.

TEXAS BOARD OF NURSING

By:

Katherine A. Thomas, MN, RN, FAAN

Executive Director on behalf

of said Board

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November 16, 2016

Texas Board Of Nursing
Attn: Jacqueline A. Strashun
Assistant General Counsel State Bar No. 19358600
333 Guadalupe
Tower III
Suite 460
Austin, Texas 78701

To Whom It May Concern:

I, Trechelle Tranese Leflore, voluntarily surrender permanent Registered Nurse License No. 819240 and Vocational Nurse License No. 214588, on this day November 16, 2016.

Respectfully,

Trechelle Tranese Leflore

# BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 214588 § AGREED issued to TRECHELLE TRANESE LEFLORE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of TRECHELLE TRANESE LEFLORE, Vocational Nurse License Number 214588, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on January 6, 2011, 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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
- 3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
- 4. Respondent received a Certificate in Vocational Nursing from Concord Career Institute, Arlington, Texas, on December 20, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on February 7, 2008.
- 5. Respondent's vocational nursing employment history includes:

03/08 - 12/08

LVN

Kindred Hospital Fort Worth, TX Respondent's vocational nursing employment history (continued):

12/09 - 03/10

LVN

Health South City View

Fort Worth, TX

07/10 - 08/10

LVN/

Crescent Senior Care LLC

Charge Nurse

Weatherford, TX

09/10 - current

Unknown

- 6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Crescent Senior Care LLC, Weatherford, Texas, and had been in this position for approximately one (1) month.
- 7. On or about August 3, 2010, while employed as a Licensed Vocational Nurse with Crescent Senior Care LLC, Weatherford, Texas, Respondent physically and verbally abused Patient G.W. in that she held said patient's arms down, which caused bruising, and shouted at her when she became combative and refused to take her medication. Respondent's conduct may have injured patient, and/or cause delayed distress for the patient, which may not be recognized or felt by the patient until harmful consequences occur.
- 8. In response to Finding of Fact Number Seven (7), Respondent states that she had recently been hired as a Charge Nurse at Crescent Senior Care. Respondent states that Resident had a history with the staff as being a high risk for elopement, as well as being aggressive towards staff and residents. Respondent states that when she attempted to give Resident her medications, Resident began to spit at her and struck her in the stomach. Additionally, Respondent states that Resident then attacked her with metal eating utensils and swung at her several times. To protect herself, Respondent states that she grabbed the utensils out of Resident's hands and grabbed her wrists to calm her down. Finally, Respondent states that local law enforcement investigated this incident and closed her case because she was acting in self defense.

# **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.

- The evidence received is sufficient to prove violation of Section 301.452(b)(10)&(13), Texas Occupations Code, 22 Tex. ADMIN. CODE §217.11(1)(B), and 22 Tex. ADMIN. CODE §217.12(1)(B),(4)&(6)(C).
- 4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 214588, heretofore issued to TRECHELLE TRANESE LEFLROE, 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 RESPONDENT SHALL receive the sanction of a WARNING WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 et seq., the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 Tex. ADMIN. Code §211.1 et seq., and this Order.

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

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

### IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> 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: <a href="http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html">http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html</a>.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this workshop to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. Information regarding this workshop may be found at the following website: <a href="http://www.dads.state.tx.us/providers/Training/jointtraining.cfm">http://www.dads.state.tx.us/providers/Training/jointtraining.cfm</a> or by contacting (512) 438-2201.

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. Information regarding this workshop may be found at the following web address: <a href="http://learningext.com/hives/a0f6f3e8a0/summary">http://learningext.com/hives/a0f6f3e8a0/summary</a>.

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(4) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT

SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

- (5) RESPONDENT SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a nurse.
- Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- (7) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to

the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S licenses to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

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### RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 87 Hyday of	FGBEYALT, 2011.
neible 1. Del	
TRECHELLE TRANESE	LEFLORE, Respondent

Sworn to and subscribed before me this 8 h day of FEBRUARY, 20 1/.

SEAL Montage Time

Notary Public in and for the State of 1547

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the \_8th\_day of <u>February</u>, 2011, by TRECHELLE TRANESE LEFLORE, Vocational Nurse License Number 214588, and said Order is final,

Effective this 8th day of March, 2011.

Katherine A. Thomas, MN, RN

Executive Director on behalf

of said Board



### BEFORE THE TEXAS BOARD OF NURSING

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Matter of		8		

In the Matter of TRECHELLE TRANESE LEFLORE, Vocational Nurse License Number 214588 and PETITIONER for Eligibility for Licensure

AGREED ORDER
FOR DISCIPLINE & ELIGIBILITY

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of Vocational Nurse License Number 214588 and the Application by Examination, which has been processed as a Petition for Declaratory Order pursuant to 22 Tex. ADMIN. Code §217.2(b) and §213.30, and supporting documents filed by TRECHELLE TRANESE LEFLORE, 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 subject to discipline and ineligible for licensure pursuant to Sections 301.452(b)(1)&(10) and 301.453, Texas Occupations Code.

PETITIONER waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on March 16, 2012, by Katherine A. Thomas, MN, RN, FAAN, Executive Director, subject to ratification by the Board.

#### FINDINGS OF FACT

- 1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on 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, informal proceedings, notice and hearing, and consented to the entry of this Order.

- 3. Petitioner received a Certificate in Vocational Nursing from Concord Career Institute, Arlington, Texas, on December 20, 2007. Respondent was licensed to practice vocational nursing in the State of Texas on February 7, 2008.
- 4. Petitioner is currently licensed to practice vocational nursing in the State of Texas.
- 5. Petitioner is currently enrolled in an Associate Degree Program at Weatherford College, Weatherford, Texas, with an anticipated graduation date of May 2012.
- 6. Petitioner's vocational nursing employment history includes:

03/08 - 12/08	LVN	Kindred Hospital Fort Worth, TX
12/09 - 03/10	LVN	Health South City View Fort Worth, TX
07/10 - 08/10	LVN/ Charge Nurse	Crescent Senior Care LLC Weatherford, TX
09/10 - Current	Unknown	

- 7. On or about February 8, 2012, PETITIONER submitted an Application by Examination 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 §217.2(b) and §213.30.
- 8. Petitioner completed the Application by Examination and answered "yes" to the question which reads as follows: "Has <u>any</u> licensing authority refused to issue you a license or ever revoked, annulled, cancelled, accepted surrender of, suspended, placed on probation, refused to renew a professional license, certificate or multi-state privilege held by you now or previously, or ever fined, censured, reprimanded or otherwise disciplined you?"
- 9. On March 8, 2011, Petitioner was issued an Agreed Order by the Texas Board of Nursing. A copy of the Agreed Order, including the Findings of Fact, Conclusions of Law, and Order dated March 8, 2011, is attached and incorporated herein by reference as part of this Order.
- 10. On or about March 9, 2012, Petitioner failed to comply with the Agreed Order issued by the Board, dated March 8, 2011. Non-compliance is the result of Petitioner's failure to comply with Stipulation Numbers One (1) through Three (3) of the Agreed Order which state, in pertinent parts:
  - (1) RESPONDENT (PETITIONER) SHALL, within one (1) year of entry of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics ...

- (2) RESPONDENT (PETITIONER) SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ..."
- (3) RESPONDENT (PETITIONER) SHALL, within one (1) year of entry of entry of this Order, successfully complete a course in "Sharpening Critical Thinking Skills" ....
- 11. Aside from the March 8, 2011, Agreed Order, no new fact or event has been identified by or reported to the Board that would constitute a new ground of ineligibility for licensure under Section 301.452(b), Texas Occupations Code.
- 12. Petitioner has sworn that, with the exception of matters disclosed in connection with the Application by Examination, her past behavior conforms to the Board's professional character requirements at 22 Tex. ADMIN. CODE §213.27.
- 13. Petitioner presented no evidence of behavior which is inconsistent with good professional character.
- 14. 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.
- 15. Licensure 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.
- 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 February 8, 2012, PETITIONER submitted an Application by Examination 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 §217.2(b) and §213.30.
- 3. Petitioner's history reflects conduct which may constitute grounds for discipline and denial of a license under Section 301.452(b)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B).
- 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 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.
- 6. 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).

### <u>ORDER</u>

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).

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

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, 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 receive the sanction of WARNING WITH STIPULATIONS AND A FINE and be subject to the

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

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 under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Petitioner 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.

- (1) This Agreed Order for Discipline and Eligibility and the stipulations required herein SHALL supercede all previous stipulations required by any Order entered by the Texas Board of Nursing.
- (2) 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.
- (3) PETITIONER SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is <u>not</u> 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 TRECHELLE TRANESE LEFLORE :238

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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. PETITIONER 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 PETITIONER'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: <a href="http://www.bon.texas.gov/disciplinaryaction/stipscourses.html">http://www.bon.texas.gov/disciplinaryaction/stipscourses.html</a>.

- (4) PETITIONER SHALL, within one (1) year of entry of this Order, successfully complete a course in "Detecting and Preventing Abuse and Neglect ...," a five (5) contact hour workshop presented in various locations by the Texas Department of Aging and Disability Services. In order to receive credit for completion of this workshop, PETITIONER SHALL SUBMIT the continuing education certificate of completion for this workshop to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. Information regarding Board-approved courses may be found at the following Board website address: <a href="http://www.bon.texas.gov/disciplinaryaction/stipscourses.html">http://www.bon.texas.gov/disciplinaryaction/stipscourses.html</a>.
- (5) PETITIONER SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order TRECHELLE TRANESE LEFLORE: 238 Page 6 of 11 S10ExP/April 3, 2011

to receive credit for completion of this program, PETITIONER SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. Information regarding Board-approved courses may be found at the following Board website address: <a href="http://www.bon.texas.gov/disciplinaryaction/stipscourses.html">http://www.bon.texas.gov/disciplinaryaction/stipscourses.html</a>.

(6) PETITIONER SHALL pay a monetary fine in the amount of seven hundred fifty dollars (\$750.00). PETITIONER SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

IT IS FURTHER AGREED, SHOULD PETITIONER PRACTICE AS A NURSE IN THE STATE OF TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND PETITIONER MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(7) PETITIONER SHALL notify each present employer in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge,

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

- (8) PETITIONER SHALL CAUSE each present employer in nursing to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within ten (10) days of receipt of this Order. PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.
- (9) PETITIONER SHALL be supervised by a Registered Nurse, if licensed and practicing as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed and practicing 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.
- (10) 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. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for one (1) year of employment as a nurse.

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

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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 understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

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 16 day of April , 7012.

TRECHELLE TRANESE LEFLORE, PETITIONER

Sworn to and subscribed before me this 16 day of April , 2012.

SEAL

SEAL

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Eligibility and Discipline that was signed on the 16th day of April , 2012 , by TRECHELLE TRANESE LEFLORE, Vocational Nurse License Number 214588 and PETITIONER for Eligibility for Licensure, and said Order is final.

Effective this \_7th\_ day of \_ May \_\_\_\_, \_ 2012 \_.

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

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of said Board