



licensed to practice professional nursing in the State of Texas on October 3, 1983, and was licensed to practice advanced practice registered nursing in the role of Adult Nurse Practitioner with prescription authorization in the State of Texas on March 18, 2011.

5. Respondent's nursing employment history includes:

10/1983 - 12/1987	Unknown	
01/1988 - 01/1999	Owner/Registered Nurse	Special Care Home Care Dallas, Texas
02/1999 - 05/2003	Unknown	
06/2003 - 07/2013	Registered Nurse	Texas Health Resources Arlington Memorial Hospital Arlington, Texas
03/2011 - 10/2012	Adult Nurse Practitioner	Kusi Fordjour, MD Desoto, Texas
10/2012 - 07/2013	Adult Nurse Practitioner	Mark Lindemann, DO, PA, Group Practice Fort Worth, Texas
07/2013 - 03/2015	Mid Level Provider	University of Texas Medical Branch Galveston, Texas
03/2015 - 06/2015	Adult Nurse Practitioner	Nova Medical Unknown
03/2015 - 08/2015	Adult Nurse Practitioner	Lone Star MedStaff Unknown
08/2015 - 10/2016	Adult Nurse Practitioner	Texas Health Physician Group Bedford, Texas
11/2016 - Present	Unknown	

6. On or about May 21, 1996, Respondent's license to practice professional nursing in the State of Texas was issued the sanction of a FINE by the Board of Nurse Examiners for the State of Texas. Respondent has successfully completed the terms of the order. A copy of the Findings of Fact, Conclusions of Law, and Order, dated May 21, 1996, is attached and incorporated herein by reference as part of this Order.

7. On or about December 16, 2016, while licensed as a Adult Nurse Practitioner, Respondent attempted to pass a fraudulent telephonic prescription for Doxycycline 100mg to Walgreens Pharmacy, Lancaster, Texas, for her daughter, using the name of her former collaborating physician, without his authorization. Respondent's conduct was likely to deceive the pharmacy.
8. In response to the incident in Finding of Fact Number Seven (7), Respondent self-reported that she called in the prescription for her daughter who had an unresolved stye in her eye. Respondent explains that the pharmacist could not pull up her NPI or DEA number, so she gave the contact information for the supervising physician that she was no longer employed with. Respondent states that she was not aware that she was committing a crime by prescribing an antibiotic.
9. On or about January 4, 2017, Respondent successfully completed a course in sharpening critical thinking skills, which would have been a requirement of this order.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(10)(E)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP120123 and Registered Nurse License Number 510876, heretofore issued to JOYCE ANN RINEER.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

#### TERMS OF ORDER

##### **I. SANCTION AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS AND A FINE** in accordance with the terms

of this Order.

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

## II. COMPLIANCE WITH LAW

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

## III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education courses **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention

of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at [www.bon.texas.gov/compliance](http://www.bon.texas.gov/compliance).*

**IV. MONETARY FINE**

RESPONDENT SHALL pay a monetary fine in the amount of one thousand dollars (\$1,000.00) within ninety (90) 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.

**V. RESTORATION OF UNENCUMBERED LICENSE(S)**

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

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CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

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

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

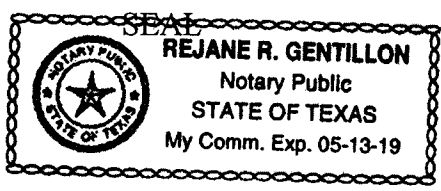
Signed this 22 day of March, 2017.

Joyce Ann Rineer  
JOYCE ANN RINEER, Respondent

Sworn to and subscribed before me this 22<sup>nd</sup> day of March, 2017.

Rejane R. Gentillon

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 that was signed on the 22nd day of March, 2017, by JOYCE ANN RINEER, Advanced Practice Registered Nurse License Number AP120123 and Registered Nurse License Number 510876, and said Order is final.

Effective this 20th day of April, 2017.



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



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

**BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS**

In the Matter of Permanent §  
Certificate Number 510876 § **AGREED ORDER**  
Issued to: JOYCE ANN MCCLAINE §

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of JOYCE ANN MCCLAINE, license number 510876, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4518, Section 7 and Article 4525(b)(1), TEX. REV. CIV. STAT. ANN., as amended and 22 Texas Administrative Code, §217.15.

Respondent waived representation by counsel, informal conference, notice, hearing, and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director, on behalf of 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 conference, notice, hearing, and consented to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in Texas.
4. In response to a random audit conducted by the Board, Respondent failed to submit proof of 5.9 continuing education hours for the renewal period ending November 30, 1995.



AGREED ORDER  
JOYCE ANN MCCLLAINE  
PERMANENT CERTIFICATE NUMBER: 510876  
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CONCLUSIONS OF LAW

1. Pursuant to Article 4525, TEX. REV. CIV. STAT. ANN., as amended, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. Evidence received was sufficient to prove violation(s) of Article 4518, Section 7 and 4525(b)(1) TEX. REV. CIV. STAT. ANN. and 22 Texas Administrative Code §217.15(b).
4. Respondent's failure to comply with Continuing Education requirements is sufficient cause pursuant to Article 4525(b) TEX. REV. CIV. STAT. ANN. to take disciplinary action against license number 510876, heretofore issued to JOYCE ANN MCCLLAINE.

AGREED SANCTIONS

IT IS THEREFORE AGREED, that RESPONDENT SHALL receive the sanction of a fine in the amount of \$100.00, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas, Annotated, as amended, Article 4513 et seq., the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 Texas Administrative Code, §211.01 et seq., and this Order.

IT IS FURTHER AGREED, that RESPONDENT SHALL comply with this signed Agreed Order and fine, within 45 days, documentation of successful completion of 5.9 Type I contact hours, taken between March 14, 1996 and May 3, 1996. Documentation should include copies of certificates of program attendance, letter(s) from editor(s), grade slips, etc. These contact hours are to be taken in addition to any continuing education requirements the Board may have for relicensure.

AGREED ORDER  
JOYCE ANN MCCLAINÉ  
PERMANENT CERTIFICATE NUMBER: 510876  
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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(s) alleged. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law and Agreed Sanctions on this Order to avoid further disciplinary action in this matter. I consent to the issuance of the Agreed Sanction. I waive judicial review of this Order.

Signed this 29<sup>th</sup> day of April, 1996

Joyce A. McClaine  
JOYCE ANN MCCLAINÉ

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas acknowledges satisfaction of the requirements of the Agreed Order that was signed on the 29th day of April, 1996, by JOYCE ANN MCCLAINÉ, license number 510876, and said Order is final.

Signed this 21st day of May, 1996

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