



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of §  
Vocational Nurse License Number 302196 §  
issued to DEBRA MARIE JACOBSON §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEBRA MARIE JACOBSON, Vocational Nurse License Number 302196, 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 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 Stanbridge College, Irvine, California on September 14, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on September 1, 2011.
4. Respondent's nursing employment history includes:

2011	School Nurse	Summit Christian Academy Cedar Park, Texas
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Respondent's nursing employment history continued:

2011	LVN	Cedar Ridge Alzheimer's Special Care Cedar Park, Texas
2012	LVN	Health South Rehabilitation Hospital Scottsdale, Arizona
2012 - 04/2014	LVN	Private Nurse Contractor Murrieta, California
05/2014 - 06/2015	LVN	Maxim Healthcare Services Austin, Texas
07/2015 - 09/2015	LVN	Unknown
10/2015 - 05/2017	LVN	MGA Pediatrics Austin, Texas
06/2017 - 08/2017	LVN	Regent Care Centers San Marcos, Texas
06/2017 - Present	LVN	Viva Pediatrics Home Health Austin, Texas

5. On or about January 3, 2018, Respondent was issued an Agreed Order by the Texas Board of Nursing. Respondent did not complete the terms of this Order. A copy of the Agreed Order, including the Findings of Fact, Conclusions of the Law, and Order dated January 3, 2018, is attached and incorporated herein by reference as part of this Order.
6. On or about March 5, 2018, Respondent became non-compliant with the Agreed Order issued to her by the Texas Board of Nursing on January 3, 2018. Non-compliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) participation agreement. Section (I) of the Agreed Order dated January 3, 2018, states, in pertinent part:

"D. RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term..."

On March 5, 2018, Respondent requested to be withdrawn from the program and was dismissed from TPAPN.

9. On May 4, 2018, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's statement, dated April 23, 2018, is attached and incorporated herein by reference as part of this Order.
10. 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.
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.

#### 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 Vocational Nurse License Number 302196, heretofore issued to DEBRA MARIE JACOBSON, 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 Vocational Nurse License Number 302196, heretofore issued to DEBRA MARIE JACOBSON, 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 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.
2. 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.
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 4th day of May, 2018.

TEXAS BOARD OF NURSING

By:



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of § CONFIDENTIAL
Vocational Nurse License Number 302196 § AGREED ORDER FOR
issued to DEBRA MARIE JACOBSON § PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DEBRA MARIE JACOBSON, Vocational Nurse License Number 302196, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(9),(10),(12)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on November 14, 2017.

FINDINGS OF FACT

- 1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Stanbridge College, Irvine California on September 14, 2010. Respondent was licensed to practice vocational nursing in the State of Texas on September 1, 2011.
5. Respondent's nursing employment history includes:
2011 School Nurse Summit Christian Academy Cedar Park, Texas

Respondent's nursing employment history continued:

2011	LVN	Cedar Ridge Alzheimer's Special Care Cedar Park, Texas
2012	LVN	Health South Rehabilitation Hospital Scottsdale, Arizona
2012-4/2014	LVN	Private Nurse Contractor Murrieta, California
5/2014-6/2015	LVN	Maxim Healthcare Services Austin, Texas
7/2015-9/2015	Unknown	
10/2015-5/2017	LVN	MGA Pediatrics Austin, Texas
6/2017-8/2017	LVN	Regent Care Centers San Marcos, Texas
9/2017-Present	LVN	Viva Pediatrics Home Health Austin, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Regent Care Centers, San Marcos, Texas, and had been in that position for two (2) months.
7. On or about August 3, 2017, while employed as a Licensed Vocational Nurse with Regent Care Center, San Marcos, Texas, Respondent lacked fitness to practice nursing in that she exhibited impaired behavior that included, but was not limited to: slurred speech, disorganized conversation and unsteady gait. Respondent's condition could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his/her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
8. On or about August 3, 2017, while employed as a Licensed Vocational Nurse with Regent Care Center, San Marcos, Texas, Respondent engaged in the intemperate use of Alcohol while on duty, in that she submitted to a for cause breathalyzer test which recorded positive readings of 0.202 and 0.189. The use of alcohol by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in

the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

9. In response to Findings of Fact Numbers Seven (7) and Eight (8), Respondent states she thought it was her day off in regards to the shifts being adjusted. Respondent explains that she felt her whole world had collapsed due to personal issues and admits she had been using ETOH as her scape goat but never before or during work. Respondent states she discovered she was wrong about her shift and went in anyway. Respondent states she's fortunate no patients were harmed and she wants to make sure she can control her anxiety without ETOH or controlled substances.
10. Respondent's conduct as described in the preceding Finding(s) of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.
11. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
12. 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 substance use disorder.
13. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE § 217.11(1)(A) & (1)(B)(1)(T), and 22 Tex. Admin. Code § 217.12(1)(A), (1)(B), (1)(E), (4), (5) & (10)(A).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9), (10), (12) & (13), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 302196, heretofore issued to DEBRA MARIE JACOBSON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.
6. 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.

### TERMS OF ORDER

#### I. PEER ASSISTANCE PROGRAM REQUIREMENTS

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

- A. Within forty-five (45) days following the date of entry of this Order, RESPONDENT SHALL apply to TPAPN;
- B. Within ninety (90) days following the date of entry of this Order, RESPONDENT SHALL sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee payable to TPAPN in the amount of three hundred fifty dollars (\$350.00);
- C. Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN participation agreement to the Texas Board of Nursing;
- D. RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term and SHALL keep all applicable license(s) to practice nursing in the State of Texas current; and
- E. RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

#### II. COMPLIANCE WITH LAW AND APPLICABILITY

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.

- 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. As a result of this Order, Respondent's license(s) will be designated "single state" and Respondent may not work outside the State of Texas in another nurse licensure compact party state.

### 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 course(s) within one (1) year of entry of this Order:

**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.

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. CONFIDENTIALITY REQUIREMENTS

While RESPONDENT remains in compliance with the terms of this Order, this Order

shall remain confidential in accordance with the authority outlined in Section 301.466(d), Texas Occupations Code. However, should Respondent fail to successfully complete the terms of this Order or should Respondent commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action and will become public information.

**V. EFFECT OF NONCOMPLIANCE**

SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

**VI. 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, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

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RESPONDENT'S CERTIFICATION

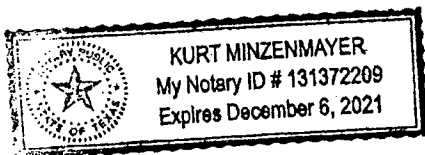
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the entry of this Order and all conditions of said Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Texas Board of Nursing, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 28 day of Decemb 2017.  
Debra Marie Jacobson LVN  
DEBRA MARIE JACOBSON, Respondent

Sworn to and subscribed before me this 28 day of December, 2017.

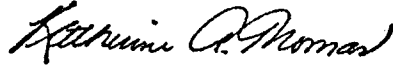
SEAL

Kurt Minzenmayer  
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 accept and enter the Confidential Agreed Order for Peer Assistance Program that was signed on the 28th day of December, 2017, by DEBRA MARIE JACOBSON, Vocational Nurse License Number 302196, and said Order is final.

Effective this 3rd day of January, 2018.



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

DEBRA MARIE JACOBSON  
200 Concho St, Apt C, Lockhart, TX 78644  
LVN LICENSE NUMBER 302196

Voluntary Surrender Statement

Dear Texas Board of Nursing:

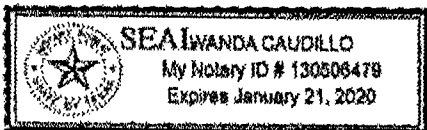
I no longer desire to be licensed as a nurse. Accordingly, I voluntarily surrender my license(s) to practice nursing in the State of Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I may not petition for reinstatement until one (1) year from the effective date of the Order. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature: *Debra Jacobson*  
Date: 4/23/18  
LVN LICENSE NUMBER 302196

The State of Texas

Before me, the undersigned authority, on this date personally appeared DEBRA MARIE JACOBSON who, being duly sworn by me, stated that he or she executed the above for the purpose therein contained and that he or she understood same.

Sworn to before me the 23<sup>rd</sup> day of April, 2018.



*Wanda Caudillo*  
Notary Public in and for the State of Texas