



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

In the Matter of  
Permanent Registered Nurse  
License Number 630080 &  
Permanent Vocational Nurse  
License Number 138557  
Issued to JEROLD JASON HECKMAN,  
Respondent

§ BEFORE THE TEXAS  
§ BOARD OF NURSING  
§ ELIGIBILITY AND  
§ DISCIPLINARY COMMITTEE

**ORDER OF THE BOARD**

TO: Jerold Heckman  
1010 N 47th Ln  
McAllen, TX 78501

During open meeting held in Austin, Texas, on February 12, 2019, the Texas Board of Nursing Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, for retention of Respondent's license(s) to practice nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by

reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN. CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Registered Nurse License Number 630080, and Permanent Vocational Nurse License Number 138557, previously issued to JEROLD JASON HECKMAN to practice nursing in the State of Texas be, and the same is/are hereby, REVOKED.

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

Entered this 12<sup>th</sup> day of February, 2019

TEXAS BOARD OF NURSING

BY: \_\_\_\_\_



KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Attachment: Formal Charges filed September 26, 2018

d17r(2019.01.24)

Re: Permanent Registered Nurse License Number 630080  
& Permanent Vocational Nurse License Number 138557  
Issued to JEROLD JASON HECKMAN  
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 14<sup>th</sup> day of February, 2019, a true and correct copy of the foregoing DEFAULT ORDER was served and addressed to the following person(s), as follows:

Via USPS Certified Mail, Return Receipt Requested.

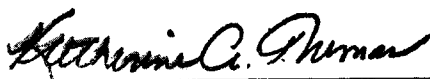
Copy Via USPS First Class Mail

Jerold Heckman  
1010 N 47th Ln  
McAllen, TX 78501

Copy Via USPS First Class Mail

Jerold Heckman  
1010 N 47th Ln  
McAllen, TX 78501

BY:



KATHERINE A. THOMAS, MN, RN, FAAN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

<b>In the Matter of</b>	§	
<b>Permanent Registered Nurse</b>	§	<b>BEFORE THE TEXAS</b>
<b>License Number 630080 &amp;</b>	§	
<b>Permanent Vocational Nurse</b>	§	
<b>License Number 138557</b>	§	<b>BOARD OF NURSING</b>
<b>Issued to JEROLD JASON HECKMAN,</b>	§	
<b>Respondent</b>	§	

**FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JEROLD JASON HECKMAN, is a Registered Nurse holding license number 630080 which is in delinquent status at the time of this pleading. Further, Respondent is a Vocational Nurse holding license number 138557 which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

**CHARGE I.**

On or about July 17, 2018, Respondent failed to comply with the Confidential Agreed Order issued to him on August 31, 2015, by the Texas Board of Nursing. Noncompliance is the result of his failure to comply with Section I (D). Sanction and Applicability of the Agreed Order which states, in pertinent part:

- 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

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

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license(s) and/or privilege(s) to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33.

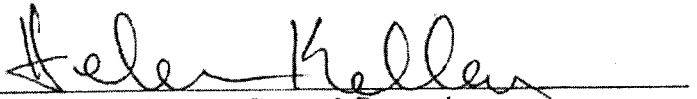
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, located at 22 TEX. ADMIN. CODE §213.33(b), which can be found under the "Discipline & Complaints; Board Policies & Guidelines" section of the Board's website, [www.bon.texas.gov](http://www.bon.texas.gov).

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order(s) which is/are attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Order(s) of the Board dated August 31, 2015.

Filed this 26<sup>th</sup> day of September, 2018.

TEXAS BOARD OF NURSING



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

Jena Abel, Deputy General Counsel  
Board Certified - Administrative Law  
Texas Board of Legal Specialization  
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Skyler Landon Shafer, Assistant General Counsel  
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State Bar No. 19358600

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State Bar No. 24086670

333 Guadalupe, Tower III, Suite 460  
Austin, Texas 78701  
P: (512) 305-8657  
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Attachment(s): Order(s) of the Board dated August 31, 2015.

D(2018.09.24)

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	CONFIDENTIAL
Registered Nurse License Number 630080	§	AGREED ORDER
& Vocational Nurse License Number 138557	§	FOR
issued to JEROLD JASON HECKMAN	§	PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JEROLD JASON HECKMAN, Registered Nurse License Number 630080 and Vocational Nurse License Number 138557, 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), 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 June 28, 2015.

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 delinquent status. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Valley Baptist Medical Center, Harlingen, Texas, on August 7, 1992. Respondent received a Baccalaureate Degree in Nursing from the University of Texas Pan American, Edinburg, Texas, on May 1, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on December 6, 1992. Respondent was licensed to practice professional nursing in the State of Texas on June 25, 1996.

5. Respondent's vocational and professional nursing employment history includes:

08/1992 - 04/1993	Unknown	
05/1993 - 06/1995	LVN	Dolly Vinsant Memorial Hospital San Benito, Texas
09/1993 - 12/1997	RN	Edinburg Regional Medical Center Edinburg, Texas
01/1998 - 11/1999	Unknown	
12/1999 - 03/2012	RN	ASAP/A-Best Nursing Agency McAllen, Texas
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03/2001 - 06/2001	RN	Mission Hospital Mission, Texas
03/2001 - 12/2004	RN	Brownsville Medical Center Brownsville, Texas
03/2001 - 06/2006	RN	ASAP Nursing Agency McAllen, Texas
06/2006 - 01/2007	RN	A-Best Nursing Agency MMC McAllen, Texas
02/2007 - 12/2008	Not employed in Nursing	
01/2009 - 07/2010	RN	Valley Regional Medical Center Brownsville, Texas
08/2010 - 06/2011	RN	Laredo Specialty Hospital Laredo, Texas
06/2011 - 03/2012	RN	Doctor's Hospital Laredo Laredo, Texas
01/2012 - 01/2013	RN	U.S. Army 232nd Medical Battalion Fort Sam Houston, Texas

Respondent's vocational and professional nursing employment history continued:

01/2013 - 11/2013	RN	Baptist Medical Center San Antonio, Texas
11/2013 - 09/2014	RN	Northeast Methodist Medical Center Converse, Texas
09/2014 - 10/2014	RN	A-Best Nursing Agency McAllen, Texas
10/2014 - 02/2015	RN	Liquid Agents Contract ERMC Edinburg, Texas
<del>02/2015 - 04/2015</del>	<del>RN</del>	<del>Doctors Hospital at Renaissance Edinburg, Texas</del>
05/2015 - Present	Not employed in Nursing	

6. At the time of the initial incident, Respondent was employed as a Registered Nurse with Northeast Methodist Medical Center, Converse, Texas, and had been in that position for approximately nine (9) months.
7. On or about August 1, 2014, through September 30, 2014, while employed with Northeast Methodist Hospital, Live Oak, Texas Respondent removed Benzodiazepines, Morphine, Propofol, and Hydrocodone, from the medication dispensing system for patients in excess frequency and/or dosage of the physician's order. Respondent's conduct was likely to injure the patients in that the administration of medications in excess frequency/dosage of the physician's order could result in the patients suffering from adverse reactions. Additionally, Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
8. On or about September 17, 2014, while employed with Northeast Methodist Hospital, Live Oak, Texas, Respondent lacked fitness to practice professional nursing in that he was observed trying to retrieve something from a sharps container. Respondent's conduct could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.



9. On or about April 15, 2015, while employed with Doctors Hospital at Renaissance, Edinburg, Texas, Respondent accessed a patient's medical record using the identification number of another coworker and removed Dilaudid from the Pyxis without a valid physician's order. Respondent's conduct was likely to injure the patient, in that the administration of the medication without a valid physician's order could result in the patients suffering from adverse reactions, and Respondent's conduct placed the hospital in violation of Chapter 481 (Controlled Substances Act) of the Texas Health and Safety Code.
10. On or about April 15, 2015, while employed with Doctors Hospital at Renaissance, Edinburg, Texas, Respondent misappropriated Dilaudid in that he admitted he had taken the medication for his own personal use. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication, and possession of Dilaudid, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act).

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11. On or about April 15, 2015, while employed with Doctors Hospital at Renaissance, Edinburg, Texas, Respondent lacked fitness to practice professional nursing in that he admitted he misappropriated Dilaudid for his own personal use and admitted he had a problem with controlled substance abuse for several years. Respondent's conduct could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
12. On or about April 15, 2015, while employed with Doctors Hospital at Renaissance, Edinburg, Texas, Respondent engaged in the intemperate use of Dilaudid in that he admitted he had taken the medication after being asked to return it. Possession of Dilaudid, without a valid prescription, is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Dilaudid by a Registered Nurse, while subject to call or duty, 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.
13. In response to Findings of Fact Numbers Seven (7) through Twelve (12), Respondent states he would like to participate in the Texas Peer Assistance Program for Nurses (TPAPN). He states he had been using narcotics inappropriately and has been dealing with this problem for about a year and a half. He's come to realize he needs help with his addiction. He's currently not working because staying away from the hospitals and work environment has allowed him to stay off narcotic medications. He is tired of denying that he has a problem and would like to maintain his nursing license. He hopes the Board is willing to work with him towards maintaining his license and deeply apologizes for the trouble he's brought upon himself.

14. 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.
15. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use disorder.
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 substance use disorder.
17. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

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CONCLUSIONS OF LAW

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1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C),(2)&(3) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(E),(4),(5),(6)(G),(8),(10)(A),(10)(E)&(11)(B)
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9),(10)&(12), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 630080 and Vocational Nurse License Number 138557, heretofore issued to JEROLD JASON HECKMAN, 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. SANCTION AND APPLICABILITY

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 five hundred dollars (\$500.00);~~
- 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

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 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.

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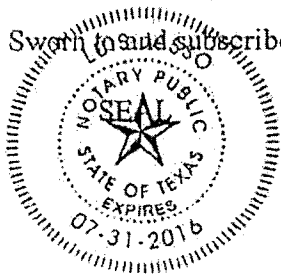
RESPONDENT'S CERTIFICATION

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 27 day of August, 2015.

Jerald Heckman RN  
JEROLD JASON HECKMAN, Respondent

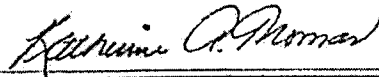
Sworn to and subscribed before me this 27 day of August, 2015.



[Signature]  
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 27th day of August, 2015, by JEROLD JASON HECKMAN, Registered Nurse License Number 630080 and Vocational Nurse License Number 138557, and said Order is final.

Effective this 31st day of August, 2015.



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