



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

In the Matter of §
JEAN BAILEY FRAGA, §
Registered Nurse License Number 526763 §
& Vocational Nurse License Number 102351 §

ORDER OF THE BOARD

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JEAN BAILEY FRAGA, Registered Nurse License Number 526763, and Vocational Nurse License Number 102351, 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 delinquent 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 Central Texas College, Austin, Texas, on August 20, 1983. Respondent received a Baccalaureate Degree in Nursing from the University of Texas, Austin, Texas, on May 1, 1985. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983. Respondent was licensed to practice professional nursing in the State of Texas on August 28, 1985.
4. Respondent's nursing employment history includes:

11/1983 – 8/1994	Unknown
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Respondent's nursing employment history continued:

9/1994 – 8/1998	RN	Bee Caves Pediatrics Austin, Texas
8/1998 – 4/2008	RN	Pediatric Associates of Austin Austin, Texas
5/2008 – 1/2011	Unknown	
2/2011 – 6/2015	PRN School Nurse	Seton Family of Hospitals Austin, Texas
7/2015 – 11/2015	Unknown	
12/2015 – 2/2020	School Nurse	Manor ISD Manor, Texas
3/2020 – Present	Unknown	

5. On or about April 5, 2000, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. A copy of the April 5, 2000, Order is attached and incorporated herein by reference as part of this Order.
6. Formal Charges were filed on January 29, 2021. A copy of the Formal Charges, dated January 29, 2021, is attached and incorporated herein by reference as part of this Order.
7. On March 1, 2021, the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas.

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)(C),(1)(D),(1)(M),(1)(O),&(1)(P) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C),(4)&(10)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 526763, and Vocational Nurse License Number 102351, heretofore issued to JEAN BAILEY FRAGA, 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 526763, and Vocational Nurse License Number 102351 is accepted by 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/himself 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/himself 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 at least one (1) year has elapsed from the date of this Order.

4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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.

Effective this 1st day of March, 2021



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

In the Matter of §
Permanent Registered Nurse § **BEFORE THE TEXAS**
License Number 526763 & §
Permanent Vocational Nurse §
License Number 102351 § **BOARD OF NURSING**
Issued to JEAN BAILEY FRAGA, §
Respondent §

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, JEAN BAILEY FRAGA, is a Registered Nurse holding license number 526763 which is in current status at the time of this pleading. Further, Respondent is a Vocational Nurse holding license number 102351 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 August 2019, through February 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to check the blood sugar levels and/or ketone levels of diabetic students, prior to physical activity (PE), as directed in the physician's standing orders. Additionally, Respondent failed to ensure that she had extra diabetic supplies available in the nurse's office. Further, Respondent failed to ensure that the Diabetic Parent Information, UDCA consents, and Medication Authorization forms were signed by the parents/guardians of diabetic students. Respondent's conduct created incomplete student medical records, and was likely to injure the students from undetected changes in blood sugar level and/or unavailable diabetic supplies.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE II.

On or about August 2019, through February 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to ensure that student inhalers and insulin pens were properly labeled and stored in a locked cabinet or drawer. Additionally, Respondent failed to secure over-the-counter and prescription medications by storing them in unlocked drawers and cabinets. Further, Respondent failed to discard expired medications and supplies. Respondent's conduct unnecessarily exposed the students to a risk of harm from the use of incorrect and/or expired medications. Additionally, Respondent's conduct created an unsafe environment by leaving medications unsecured and at risk for theft.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE III.

On or about August 2019, through February 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to store emergency medications, including asthma and seizure action plans, in an easily accessible and/or designated area. Additionally, Respondent stored numerous peanut containing products and nuts in drawers with student medications. Further, Respondent failed to ensure that the campus Emergency Bag was kept current and with adequate supplies. Respondent's conduct unnecessarily exposed the students to a risk of harm from complications associated with nut allergies, including hives, itching, or even anaphylaxis. Additionally, Respondent's conduct was likely to injure the students from inadequate and/or unavailable emergency supplies and equipment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE IV.

On or about August 2019, through February 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to ensure that an anaphylactic plan was stored with the EpiPen for Student Number 78515. Respondent's conduct unnecessarily exposed the student to a risk of harm from incorrect interventions for severe allergic reaction.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A)&(1)(B), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE V.

On or about August 15, 2019, through January 31, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to administer methylphenidate to Student Number 77825 as prescribed. Instead, Respondent followed the order on an old prescription bottle. Additionally, on or about February 18, 2020, Respondent failed to call the student to the nurse's office when he did not appear for his scheduled medication. Respondent's conduct was likely to injure the student from adverse reactions and/or non-efficacious treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE VI.

On or about August 20, 2019, through February 19, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent allowed diabetic Student Number 125208 to check her blood sugar with expired glucometer strips. Additionally, Respondent administered expired Metformin to diabetic Student Number 125208 at 1200. Further, after the physician's order was reviewed by a nurse peer, it was discovered that the Metformin was ordered to be administered with breakfast and dinner. Respondent's conduct unnecessarily exposed the student to a risk of harm from incorrect blood sugar readings and expired medication for the management of diabetes. Additionally, Respondent's conduct was likely to injure the student in that failing to administer medication as ordered by the physician could result in non-efficacious treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE VII.

On or about December 5, 2019, through January 31, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent incorrectly administered Bupirone 5mg to Student Number 129845 at 0800 and 1200, instead of 0830 as prescribed and as indicated on the Parent Authorization form. Respondent's conduct was likely to injure the student in that failing to administer medication as ordered by the physician could result in non-efficacious treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE VIII.

On or about February 7, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent inaccurately documented on a cheat sheet for the School Health Aide that Student Number 65663 was taking dexmethylphenidate. After the Health Aide discovered the student was actually taking amphetamine salts Respondent stated she "assumed all ADHD medications were dexmethylphenidate." Additionally, Respondent indicated that she did not utilize any tools to verify medications, dosages, or indications. Respondent's conduct was likely to injure the student in that future care givers would not have accurate information to base their care decisions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4)&(10)(B).

CHARGE IX.

On or about February 18, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent administered 12.5ml of valproic acid to Student Number 126525, instead of 12ml, as prescribed. Respondent's conduct was likely to injure the student in that failing to administer medications as ordered by the physician could result in the student suffering from adverse reactions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE X.

On or about February 18, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to clarify with the mother of Student Number 122697 regarding the time that the student was receiving her dose of Risperidone at home. The student had a prescription for Risperidone 1mg which was to be given twice a day, and Respondent was administering a dose to the student at 1400. After being prompted to contact the student's mother, Respondent was informed that the student received the medication at 0700 or 0800, so the student should not have been receiving the second dose during the school day. Respondent's conduct was likely to injure the student in that failing to administer medications as ordered by the physician could result in the student suffering from adverse reactions and/or non-efficacious treatment.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B),(1)(C)&(1)(P), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE XI.

On or about February 18, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to check the ketone level of diabetic Student Number 128681 after she presented to the nurse's office with an elevated blood sugar level of 367mg/dl. Respondent's conduct unnecessarily exposed the student to a risk of harm from complications associated with ketones in the urine.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

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CHARGE XII.

On or about February 18, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to offer diabetic Student Number 69138 a snack when she presented to the nurse's office in the afternoon with a blood sugar level of 91mg/dl. Respondent later gave the student five (5) crackers, after her nurse peer instructed her to; however, Respondent failed to calculate the carbohydrate count. The physician's standing order set stated to administer 15g of carbohydrates if the blood sugar is less than 100mg/dl. Respondent's conduct unnecessarily exposed the student to a risk of harm from complications associated with low blood sugar.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE XIII.

On or about February 18, 2020, through February 19, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to observe diabetic Student Number 99775 administer her own insulin. Additionally, Respondent documented the injection site based on the student's report. Respondent's conduct unnecessarily exposed the student to a risk of harm from inappropriately administered insulin, and may have created an inaccurate student medical record.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(D), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(1)(C)&(4).

CHARGE XIV.

On or about February 18, 2020, through February 19, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to wear gloves when dispensing medications to multiple students. Respondent's conduct was contrary to infection control precautions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(O), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

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CHARGE XV.

On or about February 19, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent attempted to break a tablet in half for Student Number 130049, with her bare hands. Respondent's conduct was contrary to infection control precautions.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(O), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE XVI.

On or about February 19, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent gave ten (10) crackers to diabetic Student Number 99775, but failed to calculate the carbohydrate count, and correct the insulin dose by calculating the meal bolus. Respondent's conduct unnecessarily exposed the student to a risk of harm from complications associated with incorrect carbohydrate intake and/or incorrect insulin dosage.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(C), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

CHARGE XVII.

On or about February 19, 2020, while employed as a School Registered Nurse (RN) with Manor ISD, Manor, Texas, Respondent failed to recheck the blood sugar of Student Number 69138 after she was given crackers for a blood sugar level of 123mg/dl and complaints of feeling weak and light-headed. Respondent's conduct unnecessarily exposed the student to a risk of harm from complications associated with undetected high and/or low blood sugar levels.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(10)&(13), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(B)&(1)(M), and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).

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.

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.

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 April 5, 2000.

Filed this 29th day of January, 2021.

TEXAS BOARD OF NURSING



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Board Certified - Administrative Law
Texas Board of Legal Specialization
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Attachment(s): Order(s) of the Board dated April 5, 2000.

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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.
William P. Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 526763 § AGREED
issued to JEAN BAILEY SCHROEDER § ORDER

An investigation by the Board produced evidence indicating that JEAN BAILEY SCHROEDER, hereinafter referred to as Respondent, License Number 526763, may have violated Article 4525(b)(9), Revised Civil Statutes of Texas, as amended.

An informal conference was held on March 21, 2000, at the office of the Board of Nurse Examiners, in accordance with Section 301.464, Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, Executive Director; James W. Johnston, Assistant General Counsel; Sandra Owen, MSN, RN, Director of Professional Nursing; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Noemi Leal, Senior Investigator.

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, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in Texas.
4. Respondent received a Baccalaureate Degree in Nursing from the University of Texas at Austin, Austin, Texas, in 1985. Respondent was licensed to practice professional nursing in the State of Texas on August 28, 1985.

5. Respondent's professional employment history includes:

8/85 - 8/86	Staff Nurse/part-time Pediatric Associates of Austin Austin, Texas
8/86 - 6/90	Staff Nurse Austin Pediatric Clinic Austin, Texas
6/90 - 12/92	Assessment Registered Nurse Austin Regional Clinic Austin, Texas
1/93 - 12/93	Staff Nurse Central Texas Allergy and Asthma Center Austin, Texas
12/93 - 9/97	Medical Staff Supervisor Bee Caves Pediatrics Austin, Texas
9/97 - 8/98	Nurse Coordinator/Staff Nurse Austin Ear, Nose and Throat Clinic Austin, Texas
8/98 - present	Staff Nurse Pediatric Associates of Austin Austin, Texas

6. At the time of the initial incident, Respondent was employed as a Nurse Coordinator/Staff Nurse with Austin Ear, Nose and Throat Clinic, Austin, Texas, and had been in this position for four (4) months.

7. Respondent, while employed with Austin Ear, Nose and Throat Clinic, Austin, Texas during January 1998 through August 1998 and while employed with Pediatric Associates of Austin, Austin, Texas from August 1998 through February 1999, passed the following fraudulent telephonically communicated prescriptions for Xanax:

Date	Medication/Quantity	Physician	Pharmacy
1/17/98	Xanax 1 mg, 40 tabs	Hudson	Albertson's
2/3/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's
2/11/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's

Date	Medication/Quantity	Physician	Pharmacy
2/19/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's
3/2/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's
3/19/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's
3/28/98	Xanax 1 mg, 20 tabs	Hudson	Eckerd's
4/9/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's
4/19/98	Xanax 1 mg, 20 tabs	Hudson	Albertson's
4/28/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
5/30/98	Xanax 1 mg, 20 tabs	Hudson	Eckerd's
6/30/98	Xanax 1 mg, 20 tabs	Hudson	Eckerd's
7/08/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
7/15/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
7/28/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
8/9/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
8/19/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
9/3/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
9/10/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
9/22/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
9/30/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
10/12/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
10/16/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
11/1/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
11/6/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
11/19/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
11/24/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
11/30/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
12/10/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
12/18/98	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's

Date	Medication/Quantity	Physician	Pharmacy
12/23/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
12/30/98	Xanax 1 mg, 20 tabs	Ruiz	Randalls
1/4/98	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
1/19/99	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
1/26/99	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
2/1/99	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
2/11/99	Xanax 1 mg, 20 tabs	Ruiz	Albertson's
2/17/99	Xanax 1 mg, 20 tabs	Ruiz	Eckerd's
2/22/99	Xanax 1 mg, 20 tabs	Ruiz	Albertson's

Respondent's conduct deceived the pharmacies and constitutes a violation of Chapter 481 (Controlled Substance Act) of the Texas Health and Safety Code.

8. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Article 4525a, TEX. REV. STAT. ANN.
9. Respondent's conduct described in Finding Number Seven (7) was significantly influenced by Respondent's mental illness.
10. On or about May 19, 1999, Respondent completed a chemical dependency evaluation performed by Herbert Munden, M.D. The results of the evaluation indicated that there was no evidence of chemical dependency. Respondent is currently under the care of a psychiatrist, Robert E. Cantu, M.D., for the treatment of generalized anxiety disorder.
11. 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 of Article 4525(b)(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(1) & (16).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 526763, heretofore issued to JEAN BAILEY SCHROEDER, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. 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.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, 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)

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

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

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED AND ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

RESPONDENT'S CERTIFICATION

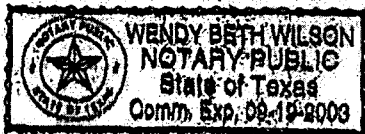
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this 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 Board of Nurse Examiners, 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 30th day of March, 2000.

Jean Bailey Schroeder
JEAN BAILEY SCHROEDER, Respondent

Sworn to and subscribed before me this 30th day of March, 2000.

SEAL



Wendy Beth Wilson
Notary Public in and for the State of Texas


IT IS FURTHER AGREED, 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 revocation of Respondent's license to practice professional nursing in the State of Texas.

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~~WHEREFORE PREMISES CONSIDERED~~, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 30th day of March, 2000, by JEAN BAILEY SCHROEDER, License Number 526763, and said Order is final.

Entered and effective this 5th day of April, 2000.



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