



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 O'Hanrahan
Executive Director of the Board

**In the Matter of
Permanent Advanced Practice Registered
Nurse License Number AP128352 &
Permanent Registered Nurse
License Number 803997
Issued to LOU RANDALL LOCKE II,
Respondent**

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

ORDER OF THE BOARD

TO: Lou Locke, II
9364 Longleaf Road
Orange, TX 77632

During open meeting held in Austin, Texas, on August 10, 2021, 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 Advanced Practice Registered Nurse License Number AP128352, and Permanent Registered Nurse License Number 803997, previously issued to LOU RANDALL LOCKE II 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 10th day of August, 2021

TEXAS BOARD OF NURSING

BY: 

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

Attachment: Formal Charges filed April 27, 2021

d17r(2021.07.14)

Re: Permanent Advanced Practice Registered Nurse License Number AP128352
& Permanent Registered Nurse License Number 803997
Issued to LOU RANDALL LOCKE II
DEFAULT ORDER - REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of August, 2021, 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

Lou Locke, II
9364 Longleaf Road
Orange, TX 77632

BY: _____



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

In the Matter of	§	
Permanent Advanced Practice Registered	§	BEFORE THE TEXAS
Nurse License Number AP128352 &	§	
Permanent Registered Nurse	§	
License Number 803997	§	BOARD OF NURSING
Issued to LOU RANDALL LOCKE II,	§	
Respondent	§	

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LOU RANDALL LOCKE II, is an Advanced Practice Registered Nurse holding License Number AP128352 with authorization(s) as a Family Nurse Practitioner, which is in voluntary surrendered status at the time of this pleading, with Prescription Authorization Number , which is in voluntary surrendered status at the time of this pleading. Further, Respondent is a Registered Nurse holding license number 803997 which is in current 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 January 24, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on January 24, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section III, "REMEDIAL EDUCATION COURSE(S)," Part A, of the Agreed Order which states, in pertinent part:

“RESPONDENT SHALL successfully complete the following remedial education course within one (1) year of the effective date of this Order, unless otherwise specifically indicated: ...

A Board-approved course in Texas nursing jurisprudence and ethics that shall be a minimum of six (6) hours in length. ...”

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).

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CHARGE II.

On or about January 24, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on January 24, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section III, "REMEDIAL EDUCATION COURSE(S)," Part B, of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete the following remedial education course within one (1) year of the effective date of this Order, unless otherwise specifically indicated: ...

A Board-approved course in physical assessment with didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. ..."

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).

CHARGE III.

On or about January 24, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on January 24, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section III, "REMEDIAL EDUCATION COURSE(S)," Part C, of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete the following remedial education course within one (1) year of the effective date of this Order, unless otherwise specifically indicated: ...

A Board-approved course in nursing documentation that shall be a minimum of six (6) hours in length. ..."

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).

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CHARGE IV.

On or about January 24, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on January 24, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section III, "REMEDIAL EDUCATION COURSE(S)," Part D, of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete the following remedial education course within one (1) year of the effective date of this Order, unless otherwise specifically indicated: ...

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. ..."

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).

CHARGE V.

On or about January 24, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on January 24, 2019, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section III, "REMEDIAL EDUCATION COURSE(S)," Part E, of the Agreed Order which states, in pertinent part:

"RESPONDENT SHALL successfully complete the following remedial education course within one (1) year of the effective date of this Order, unless otherwise specifically indicated: ...

The course Professional Accountability a 5.4 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. ..."

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.

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 January 24, 2019.

Filed this 27 day of April, 2021.

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
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Attachment(s): Order(s) of the Board dated January 24, 2019.

D(2021.03.31)



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 TEXAS BOARD OF NURSING

In the Matter of Advanced Practice Registered Nurse License Number AP128352 with Prescription Authorization Number 18143 & Registered Nurse License Number 803997, issued to LOU RANDALL LOCKE II § AGREED § § § ORDER

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that LOURANDALL LOCKE II, Advanced Practice Registered Nurse License Number AP128352 with Prescriptive Authorization Number 18143 and Registered Nurse License Number 803997, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, 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 20, 2018.

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 professional nurse in the State of Texas is in suspended status. Respondent's license to practice as an advanced practice registered nurse in the State of Texas is in suspended status.
- 4. Respondent received a Baccalaureate Degree in Nursing from Lamar University at Beaumont, Beaumont, Texas, on May 14, 2011, and received a Master's Degree in Nursing from McNeese State University, Lake Charles, Louisiana, on May 16, 2015. Respondent was licensed to practice professional nursing in the State of Texas on June 28, 2011, and was

licensed to practice advanced practice professional nursing in the State of Texas in the role of Family Nurse Practitioner on June 23, 2015.

5. Respondent's nursing employment history includes:

6/2011-8/2015	Registered Nurse	St. Elizabeth Hospital Beaumont, Texas
8/2015-2/2016	Family Nurse Practitioner	Griffith Family Health Orange, Texas
3/2016-2/2018	Family Nurse Practitioner	Optimum Medical Weight Control and Family Wellness Nederland, Texas
9/2016-2/2018	Family Nurse Practitioner	Kaliper Occupational Medicine Nederland, Texas

6. On or about March 2016, through November 2017, while employed as a Family Nurse Practitioner with Optimum Medical Weight Control and Family Wellness, Nederland, Texas, Respondent failed to meet the standard of care in the treatment of Patients AB, AM, CL, EL, RA, RD, AL, HW, JL, KM, and SG. Respondent engaged in the inappropriate prescribing of testosterone and/or thyroid hormone by failing to perform and/or document adequate assessments of the patients' medical history, cardiac functioning, and lab values—many of which contraindicated Respondent's prescribed treatment—necessary to justify prescribing the medications. Further, Respondent failed to develop individualized treatment plans for the patients instead of prescribing the same dose of medications to multiple patients. Additionally, Respondent also repeatedly failed to document the medical rationale for the prescribed testosterone and/or thyroid treatments, any discussion of treatment risks with the patients, or any collaboration between Respondent and the delegating physician.

Respondent's inappropriate testosterone treatments exposed the patients to harm, or serious risk of harm, from an increase in red blood cells, which can lead to an increase in blood pressure and a greater risk of heart attack or stroke. Respondent's inappropriate thyroid hormone treatments exposed the patients to harm, or serious risk of harm, from palpitations, arrhythmia, bone loss, anxiety, and other symptoms.

Respondent's misdiagnosis and inappropriate thyroid hormone treatment resulted in or contributed to Patient AB experiencing thyrotoxicosis factitia that required subsequent intervention by an endocrinologist.

Respondent's misdiagnosis of Hashimoto's Disease and inappropriate thyroid hormone

treatment resulted in or contributed to Patient AM, a twelve-year-old patient, experiencing thyrotoxicosis that required subsequent intervention by an endocrinologist.

Respondent's inappropriate prescribing of testosterone and thyroid hormone treatments resulted in or contributed to: Patient RA experiencing dangerously elevated hemoglobin values and hospitalization for atrial fibrillation, ultimately requiring cardioversion; Patient CL experiencing chest pain requiring hospitalization with diagnosed elevated troponin levels, excessively high testosterone levels, and thyrotoxicosis; Patient SG experiencing atrial fibrillation requiring hospitalization and cardioversion, as well as a diagnosis of thyrotoxicosis; Patient RD experiencing a blood clot and fatigue; and Patient EL requiring hospitalization for a stroke.

7. On or about March 2016, through November 2017, while employed as a Family Nurse Practitioner with Optimum Medical Weight Control and Family Wellness, Nederland, Texas, Respondent exceeded his authorized scope of practice by prescribing testosterone and thyroid hormone treatments to Patients AB, AM, CL, EL, RA, RD, AL, HW, JL, KM, and SG without sufficient education, training, and experience necessary to ensure that the prescribed treatments/prescriptions were medically necessary and safe for the patients. Further, Respondent contracted with six different delegating physicians from March 2016, through November 2017, whose specialties were in family practice, internal medicine, electrophysiology, general surgery, and gynecology. These providers lacked the necessary training, experience, and/or expertise to provide adequate supervision and support to the Respondent to ensure safe treatment and prescribing practices for these patients. Further, Respondent failed to adequately collaborate with these delegating/collaborating physician(s) and/or failed to accurately/completely document such collaboration in the patients' medical records.
8. On or about July 2016, through November 2017, while employed as a Family Nurse Practitioner with Optimum Medical Weight Control and Family Wellness, Nederland, Texas, Respondent failed to meet the standard of care in the treatment of Patients MS, TM, JL, AL, and HW. Respondent engaged in the inappropriate prescribing of testosterone and/or thyroid hormone by failing to perform and/or document adequate assessments of the patients' medical history, cardiac functioning, and lab values—many of which contraindicated Respondent's prescribed treatment—necessary to justify prescribing the medications. Respondent also repeatedly failed to document the medical rationale for the prescribed testosterone and/or thyroid treatments, any discussion of treatment risks with the patients, or any collaboration between Respondent and the delegating physician.

Respondent's conduct exposed the patients to harm, or serious risk of harm, from an increase in red blood cells, which can lead to an increase in blood pressure and a greater risk of heart attack or stroke, palpitations, arrhythmia, bone loss, anxiety, and other symptoms.

9. On or about June 15, 2017, through November 17, 2017, while employed as a Family Nurse

Practitioner with Optimum Medical Weight Control and Family Wellness, Nederland, Texas, Respondent failed to appropriately assess and intervene for Patient KM, who reported continued anxiety, mood swings, panic attacks, and then suicidal ideations. The patient reported panic attacks on June 15, 2017, and Respondent prescribed Xanax 2 mg for insomnia. On August 10, 2017, Respondent prescribed Clonazepam 2 mg for the patient, without assessing the patient and documenting a clinic visit, including indication for the medication and why it was prescribed in combination with another benzodiazepine, Xanax. On October 31, 2017, Respondent prescribed Prozac, an antidepressant medication, to the patient for anxiety and mood swings. Subsequently on November 4, 2017, when the patient expressed suicidal ideation, the Respondent failed to follow through with a referral for psychological/psychiatric assessment or reassess the patient for mental status or risk for self harm at four (4) subsequent clinic visits.

Respondent's conduct exposed the patient to harm, or serious risk of harm, from undetected and untreated changes in his psychological status and thought processes, including the potential of self harm.

10. Formal Charges were filed and Respondent's licenses were suspended by the Board on February 20, 2018.

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)(F),(1)(M),(1)(P)&(4), 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4), and 22 TEX. ADMIN. CODE §221.13(a)&(b)&(c).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Advanced Practice Registered Nurse License Number AP128352 with Prescriptive Authorization Number 18143 and Registered Nurse License Number 803997, heretofore issued to LOU RANDALL LOCKE II, 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.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Advanced Practice Registered Nurse License Number AP128352 with Prescriptive Authorization Number 18143, heretofore issued to LOU RANDALL LOCKE II, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

- A. RESPONDENT SHALL NOT practice advanced practice nursing, use or wear any title or insignia identifying himself as an advanced practice registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is an advanced practice registered nurse during the period in which his advanced practice registered nurse license is surrendered.
- B. RESPONDENT SHALL NOT petition for reinstatement of licensure as an advanced practice registered nurse or for prescriptive authorization until Respondent has successfully completed all of the probationary terms associated with Registered Nurse License Number 803997.
- C. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for licensure as an advanced practice registered nurse.

IT IS FURTHER AGREED and ORDERED, that Registered Nurse License Number 803997, previously issued to LOU RANDALL LOCKE II, to practice nursing in the State of Texas is hereby **SUSPENDED** and said suspension is **STAYED** and RESPONDENT is hereby placed on **PROBATION** for a minimum of two (2) years AND until RESPONDENT fulfills the additional requirements of this Order.

- D. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

- E. 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.

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 entry 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.
- B. A Board-approved course in physical assessment with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include physical assessment of all body systems. The clinical component SHALL include physical assessment of live patients in a clinical setting; Performing assessments on mock patients or mannequins WILL NOT be accepted. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT

to successfully complete both the didactic and clinical portions of the course.

- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- D. **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.
- E. **The course "Professional Accountability ...,"** a 5.4 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/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.*

IV. MONETARY FINE

RESPONDENT SHALL **pay a monetary fine in the amount of five thousand dollars (\$5,000.00). RESPONDENT SHALL pay this fine within four hundred and fifty (450) 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. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse, providing patient care in a licensed healthcare setting, **for a minimum of sixty-four (64) hours per**

month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on 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. **RESPONDENT SHALL NOT work in the area of hormone replacement therapy for the duration of this Order.** Multiple employers are prohibited.
- D. **Indirect Supervision:** For the remainder of the stipulation/probation period, RESPONDENT SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse,

if licensed 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 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. RESPONDENT SHALL NOT work in the area of hormone replacement therapy for the duration of this Order. Multiple employers are prohibited.

- E. **Nursing Performance Evaluations:** 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 nurse who supervises the RESPONDENT and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for eight (8) quarters [two (2) years] of employment as a nurse.

VI. RESTORATION OF UNENCUMBERED LICENSE(S) AND/OR FULL PRESCRIBING AUTHORIZATION

With the exception of RESPONDENT'S Advanced Practice Registered Nurse license and Prescription Authorization, upon full compliance with the terms of this Order, all other encumbrances will be removed from RESPONDENT'S license(s) to practice professional nursing in the State of Texas and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

- A. RESPONDENT shall not petition the Board for reinstatement of his Advanced Practice Registered Nurse license and the authority to prescribe controlled substances until RESPONDENT has successfully completed all of the terms and requirements of this Order, as they apply to his registered nursing license.
- B. Upon petitioning for reinstatement of his Advanced Practice Registered

Nurse license and authority to prescribe controlled substances, RESPONDENT SHALL also satisfy all then existing requirements.

- C. The Board may impose additional restrictions or stipulations to accompany the re-issuance of the RESPONDENT'S Advanced Practice Registered Nurse license and authority to prescribe controlled substances, as deemed appropriate and necessary by the Board. This may include a prohibition against working in the area of hormone replacement therapy.
- D. Respondent shall not re-register or otherwise obtain a DEA Controlled Substances Registration Certificate(s) or any other government issued certificates or authorizations to prescribe controlled substances until Respondent obtains authorization in writing from the Board to prescribe controlled substances.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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. 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 12th day of December, 2018.

Randall Locke

LOU RANDALL LOCKE II, Respondent

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL

Notary Public in and for the State of _____

Approved as to form and substance.

Franklin Hopkins

Franklin Hopkins, Attorney for Respondent

Signed this 14th day of December, 2018.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 12th day of December, 2018, by LOU RANDALL LOCKE II, Advanced Practice Registered Nurse License Number AP128352 with Prescriptive Authorization Number 18143 and Registered Nurse License Number 803997, and said Order is final.

Effective this 24th day of January, 2019.



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