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*William O'Hanrahan*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of §  
Advanced Practice Registered §  
Nurse License Number AP113275 & §  
Registered Nurse License Number 255200 §  
Issued to DANIEL J LOWE, §  
PETITIONER for Exception §

ORDER GRANTING MODIFICATION

An Agreed Order of the Board was entered on September 14, 2021, for DANIEL J LOWE, Advanced Practice Registered Nurse License Number AP113275 and Registered Nurse License Number 255200, hereinafter referred to as PETITIONER. PETITIONER filed a Request for Exception to the Agreed Order on February 4, 2022.

A public meeting of the Eligibility and Disciplinary Committee of the Board, hereinafter referred to as the Committee, was held on March 8, 2022, at 333 Guadalupe Street, Suite 100, Austin, Texas, to consider the Petition for Exception and supporting documents filed by PETITIONER.

PETITIONER appeared telephonically.

Board Members in attendance were: Kathy Shipp, MSN, RN, FNP; Mazie Mathews Jamison, BA, MA; and Kimberly Wright, LVN.

After review and due consideration of the file petition, the Committee voted to **GRANT MODIFICATION** of the September 14, 2021, Agreed Order.

IT IS THEREFORE ORDERED that Petitioner is required to comply with and complete all of the requirements of the September 14, 2021, Agreed Order, as written, subject to the following modifications:

## **V. EMPLOYMENT REQUIREMENTS**

In order to complete the terms of this Order, PETITIONER must work as a nurse in the State of Texas, providing direct patient care in a clinical setting, for a minimum of sixty-four (64) hours per month for the remaining period of the September 14, 2021, Order. 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:** PETITIONER SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, PETITIONER SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. Notification of Employment Forms:** PETITIONER 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. PETITIONER 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. Indirect Supervision:** While under the remaining terms of this Order, PETITIONER SHALL be supervised by a Registered Nurse, if licensed and practicing as a Registered Nurse, or by Licensed Vocational Nurse, or Registered Nurse, if licensed and practicing 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 PETITIONER, 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 setting to which the PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined units(s). PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.
- D. Nursing Performance Evaluations:** While under the remaining terms of this Order, PETITIONER SHALL CAUSE each employer to submit, on forms provided to the PETITIONER by the Board, periodic reports as to PETITIONER'S capability to practice nursing. These reports shall be completed by the nurse who supervises the PETITIONER. 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 the remaining period of the September 14, 2021, Order.

IT IS FURTHER ORDERED THAT PETITIONER's APRN license and prescriptive authority shall be placed in INACTIVE status. Should PETITIONER decide in the future to reactivate his license(s) to practice nursing in the State of Texas, PETITIONER SHALL be required to petition the Board for reactivation of the license and satisfy all then existing requirements for reactivation.

All other terms and conditions of the September 14, 2021, Agreed Order remain unchanged and Petitioner is responsible for complying with those terms as written.

Entered this 8<sup>th</sup> day of March, 2022.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas". The signature is fluid and cursive, with the first name being the most prominent.

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