

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	AGREED ORDER
Vocational Nurse License Number 192383	§	
issued to KRISTINA GAIL RIDDLER	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the matter of KRISTINA GAIL RIDDLER, Vocational Nurse License Number 192383, 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)(10)&(14), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Kristin K. Benton, DNP, RN, Executive Director, on December 12, 2024.

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 Agreed Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Joe G Davis School of Vocational Nursing, Huntsville, Texas, on December 5, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on January 29, 2004.
5. Respondent's nursing employment history includes:

1/2004 – 2/2004	LVN Charge Nurse	Green Acres Memory Care Huntsville, Texas
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Respondent's nursing employment history continued:

2/2004 – 2/2008	LVN Charge Nurse	Sulik Healthcare Huntsville, Texas
2008 – 2009	ADON	Lampstand Nursing & Rehabilitation Bastrop, Texas
3/2008 – 1/2010	MDS Coordinator	Covenant Dove, LLC College Station, Texas
2/2010 – 12/2013	LVN Supervisor	Mosaic Bryan, Texas
1/2014 – 3/2019	Unknown	
4/2019 – 9/2024	LVN	Central Texas Heart Center Bryan, Texas
10/2024 – Present	Unknown	

6. On or about September 4, 2013, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. Respondent did not successfully complete the terms of this Order. A copy of the September 4, 2013, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about February 10, 2014, the Board accepted the Voluntary Surrender of Respondent's license to practice nursing in the State of Texas through an Order of the Board. A copy of the February 10, 2014, Order is attached and incorporated herein by reference as part of this Agreed Order.
8. On or about September 11, 2018, Respondent's license to practice nursing in the State of Texas was Reinstated through an Order of the Board. Respondent did not successfully complete the terms of this Order. A copy of the September 11, 2018, Order is attached and incorporated herein by reference as part of this Agreed Order.
9. On or about October 21, 2021, Respondent's license to practice nursing in the State of Texas was Suspended through an Order of the Board. Respondent has not successfully completed the terms of this Order. A copy of the October 21, 2021, Order is attached and incorporated herein by reference as part of this Agreed Order.

10. At the time of the incident, Respondent was employed as a Licensed Vocational Nurse with Central Texas Heart Center, PLLC, Bryan, Texas, and had been in that position for five (5) years and five (5) months.
11. On or about September 11, 2024, while employed as a Licensed Vocational Nurse with Central Texas Heart Center, PLLC, Bryan, Texas, Respondent failed to follow the facility's Medication Refill Protocol after receiving a faxed refill request for Xarelto from Walgreens Pharmacy for Patient JG. Instead, Respondent told the patient that he needed to have bloodwork done before the refill could be processed. Patient JG had current labs sent to the clinic on May 8, 2024. As a result, Patient JG ran out of his Xarelto, experienced a stroke, and subsequently expired on September 26, 2024. Respondent's conduct may have contributed to the patient's subsequent demise.
12. In response to Finding of Fact Number Eleven (11), Respondent admits to not refilling the medication because she thought the patient did not have current labs and claims the physician assistant had repeatedly told the nursing staff that if the patient didn't have labs, no prescription would be given.
13. Respondent by her signature expresses her desire to voluntarily surrender the licenses.

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)(M),(1)(P)&(2) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B) &(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(14), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL RIDDLER.
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.

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TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 192383 is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself/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.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until at least one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

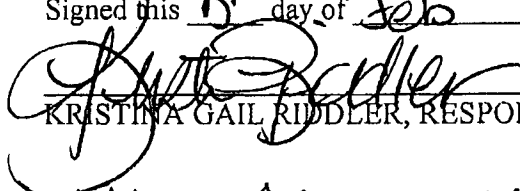
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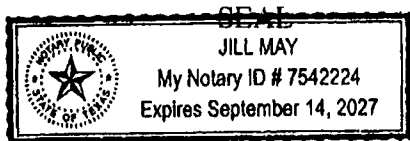
RESPONDENT'S CERTIFICATION

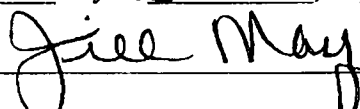
I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, 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 possible revocation of my license(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 5th day of Feb, 2025.


KRISTINA GAIL RIDDLER, RESPONDENT

Sworn to and subscribed before me this 5th day of Feb, 2025.




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 ratify and adopt the Agreed Order that was signed on the 5th day of February, 2025, by KRISTINA GAIL RIDDLE, Vocational Nurse License Number 192383, and said Agreed Order is final.

Effective this 12th day of February, 2025.

Kristin K. Benton, DNP, RN

Kristin K. Benton, DNP, RN
Executive Director on behalf
of said Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of	§	CONFIDENTIAL AGREED ORDER
Vocational Nurse License Number 192383	§	FOR
issued to KRISTINA GAIL WIGGINS	§	PEER ASSISTANCE PROGRAM

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTINA GAIL WIGGINS, Vocational Nurse License Number 192383, 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)(10) and 301.453, Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered under the authority of Section 301.466(d), Texas Occupations Code, and approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on August 6, 2013.

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 representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Joe G. Davis, Huntsville, Texas, on December 5, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on January 29, 2004.
5. Respondent's vocational nursing employment history is unknown.

6. On or about November 30, 2011, Respondent entered a plea of Guilty to and was convicted of POSS CS PG 3<28G, a Class A misdemeanor offense committed on June 17, 2010, in the 85th District Court of Brazos County, Texas, under Cause No. 1105025CRM85. As a result of the conviction, Respondent was sentenced to confinement in the Brazos County Jail for a period of three hundred sixty-five (365) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of two (2) years and ordered to pay a fine and court costs.
7. On or about September 26, 2012, Respondent submitted a License Renewal Form to the Texas Board of Nursing, in which she answered "Yes" to the question: "In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug? (You may answer "No" if you have completed and/or in compliance with TPAPN).
8. The 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.
9. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.
10. Respondent's conduct as described in the preceding Finding(s) of Fact resulted from or was significantly influenced by Respondent's substance use 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 301.451-301.455, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL WIGGINS, up to, and including, revocation of Respondent's license(s) 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 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 TPAPN and SHALL, within ninety (90) days following the date of entry of this final Order, sign and execute the TPAPN participation agreement and complete the enrollment process, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350.00) payable to TPAPN.

(2) 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.

(3) 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.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN participation agreement.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, Section §5301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that, 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.

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 EMERGENCY 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

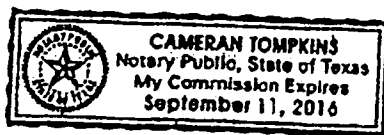
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the 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 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.

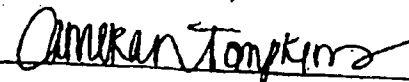
Signed this 23rd day of August, 2013


KRISTINA GAIL WIGGINS, RESPONDENT

Sworn to and subscribed before me this 23 day of August, 2013.

SEAL




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 23rd day of August, 2013, by KRISTINA GAIL WIGGINS, Vocational Nurse License Number 192383, and said Order is final.

Entered and effective this 4th day of September, 2013.



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



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 office of the Texas Board of Nursing.
Stephanie Chism
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 192383 §
issued to KRISTINA GAIL WIGGINS §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 192383, issued to KRISTINA GAIL WIGGINS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Huntsville Memorial Hospital Joe G. Davis School of Vocational Nursing, Huntsville, Texas, on December 5, 2003. Respondent was licensed to practice professional nursing on the State of Texas on January 29, 2004.
4. Respondent's complete vocational nursing employment history is unknown.
5. On or about September 4, 2013, Respondent was issued a Confidential Agreed Order by the Board which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Finding of Fact, Conclusions of Law and Order dated September 4, 2013, is attached and incorporated herein by reference as part of this Order.

6. On or about February 10, 2014, Respondent became noncompliant with the Confidential Agreed Order issued to her by the Board on September 4, 2013, in that the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. On or about February 11, 2014, Respondent informed TPAPN of her intention to voluntarily surrender her nursing license. Stipulation Number Three (3) of the Confidential Agreed Order dated September 4, 2013, reads:

"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."

On or about February 11, 2014, Respondent was dismissed from TPAPN and referred to the Board. A copy of Respondent's statement, dated February 1, 2014, is attached and incorporated herein by reference as part of this Order.

7. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) & (10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL WIGGINS, 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, 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 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL WIGGINS, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 10th day of February, 2014.

TEXAS BOARD OF NURSING

By:



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

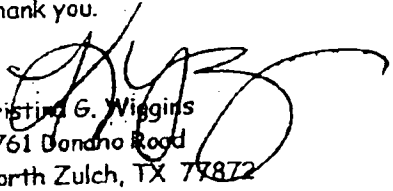
February 1, 2014

TO: Texas Board of Nursing
333 Guadalupe #3-460
Austin, TX 78701

REF: LVN License - Kristina G. Wiggins

After careful consideration, I am writing to inform you of my decision to voluntarily surrender my LVN license. Please advise me of next steps.

Thank you.


Kristina G. Wiggins
4761 Donoho Road
North Zulch, TX 77872

cc: Texas Peer Assistance Program for Nurses
8501 N. MoPac Expr., Suite 400
Austin, TX 78759



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 office of the Texas Board of Nursing.
Stephanie Chapman
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of §
Vocational Nurse License Number 192383 §
issued to KRISTINA GAIL WIGGINS §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 192383, issued to KRISTINA GAIL WIGGINS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Huntsville Memorial Hospital Joe G. Davis School of Vocational Nursing, Huntsville, Texas, on December 5, 2003. Respondent was licensed to practice professional nursing on the State of Texas on January 29, 2004.
4. Respondent's complete vocational nursing employment history is unknown.
5. On or about September 4, 2013, Respondent was issued a Confidential Agreed Order by the Board which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Finding of Fact, Conclusions of Law and Order dated September 4, 2013, is attached and incorporated herein by reference as part of this Order.

6. On or about February 10, 2014, Respondent became noncompliant with the Confidential Agreed Order issued to her by the Board on September 4, 2013, in that the Board received a statement from Respondent voluntarily surrendering the right to practice nursing in Texas. On or about February 11, 2014, Respondent informed TPAPN of her intention to voluntarily surrender her nursing license. Stipulation Number Three (3) of the Confidential Agreed Order dated September 4, 2013, reads:

"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."

On or about February 11, 2014, Respondent was dismissed from TPAPN and referred to the Board. A copy of Respondent's statement, dated February 1, 2014, is attached and incorporated herein by reference as part of this Order.

7. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
8. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1) & (10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL WIGGINS, 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, 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 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL WIGGINS, to practice nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:


1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "vocational nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a vocational nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 10th day of February, 2014.

TEXAS BOARD OF NURSING

By:


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

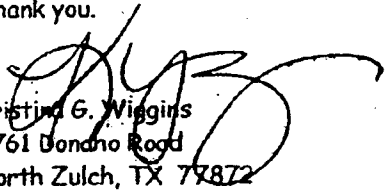
February 1, 2014

TO: Texas Board of Nursing
333 Guadalupe #3-460
Austin, TX 78701

REF: LVN License - Kristina G. Wiggins

After careful consideration, I am writing to inform you of my decision to voluntarily surrender my LVN license. Please advise me of next steps.

Thank you.



Kristina G. Wiggins
4761 Donoho Road
North Zulch, TX 77872

cc: Texas Peer Assistance Program for Nurses
8501 N. MoPac Expr., Suite 400
Austin, TX 78759



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	§	REINSTATEMENT
Vocational Nurse License Number 192383	§	
issued to KRISTINA GAIL RHODES	§	AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the Petition for Reinstatement of Vocational Nurse License Number 192383, held by KRISTINA GAIL RHODES, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on July 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 Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived notice and hearing, and agreed to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from Huntsville Memorial Hospital Joe G. Davis School of Vocational Nursing, Huntsville, Texas, on December 5, 2003. Petitioner was licensed to practice professional nursing on the State of Texas on January 29, 2004.
4. Petitioner's nursing employment history includes:

2003	Charge Nurse	Green Acres Huntsville, Texas
2004 - 2008	Charge Nurse	Sulick Healthcare Bryan, Texas

Petitioner's nursing employment history continued:

2008 - 2009	ADON	Lampstand Bastrop, Texas
2009 - 2010	MDS Coordinator	Fortress on Rock Prairie College Station, Texas
2010 - 2013	LVN Supervisor	Mosaic Bryan, Texas

5. On September 4, 2013, Respondent was issued an Confidential Agreed Order by the Board which required her to apply to, be accepted into, and comply with all the requirements of the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated September 4, 2013, is attached and incorporated, by reference, as part of this Order.
6. On or about February 10, 2014, Respondent voluntarily surrendered her license to practice nursing in the State of Texas through an Order of the Board. A copy of the Findings of Fact, Conclusions of Law, and Order dated February 10, 2014, is attached and incorporated, by reference, as part of this Order.
7. On or about May 21, 2018, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.
8. Petitioner presented the following in support of said petition:
 - 8.1. Letter of support dated April 15, 2018, from Nicole Crawson, RN DON at Senior Care Centers Western Hills, Temple, Texas. She states Petitioner worked at Fortress on Rock Prairie as an MDS Assessment Nurse at the time they began working together. Petitioner was an integral member of the nurse management team. Petitioner is of very high moral and ethical character and truly an asset to the profession. Since the time she voluntarily surrendered her license Petitioner has given countless hours of volunteering to her community. Petitioner is a bright and personable individual, highly self motivated and well capable of achieving any goal she sets her mind to. Petitioner quickly builds rapport with patients, families and co-workers. Petitioner exemplifies true servant leadership and welcomes leadership opportunities, She is receptive to learning as well as takes constructive criticism.
 - 8.2. Letter of support dated May 1, 2018, from Jill May, Superintendent's Secretary at North Zulch ISD, Texas. She states she has known Petitioner in a variety of capacities for four years and has had the pleasure of working and volunteering with

her. Petitioner is very active in the school district and in her community. Petitioner serves as the President of their Parent Teacher Organization, she is professional, well organized, detail-oriented, and extremely competent. Petitioner also volunteers with their elementary and high school livestock judging teams, and the local fire department, serving on the Women's Auxiliary. She is impressed with how Petitioner is able to manage family, maintain excellent grades in college and still use her precious time to volunteer. She highly recommends Petitioner in any endeavor that she may wish to pursue. Petitioner will be a valuable asset to the nursing practice.

- 8.3. Letter of support dated May 2, 2018, from Leslie Lazenby, 4-H Youth Development Texas A&M AgriLife Extension, Madison County, Texas. She states Petitioner has been a valuable asset to the Texas 4-H Youth development programs through Madison county AgriLife Extension for several years now. Petitioner is dedicated to seeing the youth in Madison County succeed, and she has worked with Petitioner on many occasions. Petitioner has volunteered in may summer programs, helping with the Brazos valley Food Bak's Kid's Cafe, and has organized and facilitated many 4-H outings, volunteering to drive and chaperone 4-H youth along with her husband Justin. Petitioner is also active in the leadership of Madison county 4-H Livestock Judging Team. Petitioner's involvement for Madison County 4-H has been exemplary. Petitioner is an energetic, selfless volunteer, and she know that shew ill be as dedicated in her nursing career.
- 8.4. Letter of support dated May 20, 2018, from Rain Nelson, Administrative Director at Allen J. Segal, Houston, Texas. She states she has known Petitioner for many years, they worked as management partners in several capacities during their employment at Mosaic, a non-profit organization that serves adults with physical and intellectual disabilities. Petitioner was the head nurse in authority at Mosaic, on duty/on call 24 hours a day. Petitioner serves her patients with a high degree of integrity, fierce dedication, and she is meticulously detailed-oriented. Petitioner is a competent leader, she designed and implemented numerous training with Mosaic's group home and dayhab staff to expand the quality of healthcare provided and increased the precision of medication administration to 100% accuracy. Petitioner has a natural rapport with people and excellent communication skills which allow her to connect with patients and cultivate trust that she will deliver the best medical care for people from all walks of life. Petitioner would be an incredible asset to any path she chooses to pursue.
- 8.5. Letter of support dated May 30, 2018, from James V. Bonds, MD, states Petitioner is currently a patient at his practice. Her labs show no use of illicit drugs. Petitioner's urine drug screening was also negative.
- 8.6. Documentation of 12 consecutive drug screens, from RecoveryTrek from May 18, 2017 through April 4, 2018.

- 8.7. Documentation of AA/NA attendance meetings from May 3, 2017 through November 14, 2017.
- 8.8. Documentation of 23 Continuing Education Hours.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.
10. Relicensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
11. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.
3. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF LICENSURE

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of KRISTINA GAIL RHODES for reinstatement of license to

practice nursing in the state of Texas be **GRANTED** and Vocational Nurse License Number 192383 is hereby **REINSTATED** in accordance with the terms of this Order.

II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

- A. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- B. As a result of this Order, PETITIONER'S license(s) will be designated "single state" and PETITIONER may not work outside the State of Texas in another nurse licensure compact party state.

III. REQUIREMENTS FOR VOCATIONAL NURSING REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF STUDY IN VOCATIONAL NURSING

Prior to practicing as a vocational nurse in the State of Texas, PETITIONER SHALL:

- A. Apply for a Six Month Temporary Permit to Complete Refresher Course, Extensive Orientation, or Nursing Program of Study in Vocational Nursing for the limited purpose of completing a refresher course, extensive orientation, or nursing program of study in vocational nursing. The application for the Six Month Temporary Permit is available on the Board's website (www.bon.texas.gov) under Forms / Applications / Six Month Permits / LVN Six Month Limited Permit. PETITIONER SHALL NOT, in any way, attempt to use the temporary permit for any purpose other than completing the refresher course, extensive orientation, or nursing program of study in vocational nursing.
- B. Successfully complete a Board approved refresher course, extensive orientation, or nursing program of study for vocational nursing. Petitioner MUST obtain Board approval of the nursing refresher course, extensive orientation, or nursing program, as applicable, prior to enrollment. In order for the course to be approved:

- (1) The target audience shall include vocational nurses;
- (2) The course instructor must be a qualified registered nurse who meets or exceeds the Board's minimum criteria for eligibility as an instructor;
- (3) The course's content shall, at a minimum, include:
 - (a) Review of NPA, Rules, Position Statements;
 - (b) Determination of Individual Scope of Practice and role in patient safety;
 - (c) Review of the clinical problem solving process for the provision of individualized, goal directed nursing care to include: (i) Collecting data & performing focused nursing assessments; (ii) Participating in the planning of nursing care needs for clients; (iii) Participating in the development & modification of the comprehensive nursing care plan for assigned clients; (iv) Implementing appropriate aspects of care within the LVN's scope of practice; and (v) Assisting in the evaluation of the client's responses to nursing interventions and the identification of client needs;
 - (d) Pharmacology review;
 - (e) Medication administration;
 - (f) Documentation, quality assurance, and legal implication for nursing practice; and
 - (g) Documentation of current CPR certification prior to beginning precepted clinical learning experience; and
- (4) The course must contain no less than a total of 80 hours of clinical practice providing direct patient care precepted by a qualified registered or vocational nurse. Home study courses and video programs will not be approved.

C. **Upon completion of the refresher course, extensive orientation, or nursing program of study for vocational nursing,** PETITIONER SHALL return the temporary permit to the Board's office and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required 80 hours of precepted clinical practice.

D. **Upon verification of successful completion of the conditions** as set out in Paragraphs A through C of this Section, PETITIONER SHALL submit a completed License Reactivation Form for Vocational Nurses, which is available on the Board's website (www.bon.texas.gov) under Forms / Applications / Renewals / LVN - Reactivation form for a Licensed Vocational Nurse. PETITIONER shall pay all re-registration fees and,

subject to meeting all other requirements for licensure in Texas, shall be issued the applicable license to practice vocational nursing in the State of Texas, which shall be subject to the terms of this Order.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, Petitioner SHALL successfully complete the following remedial education course(s) within one (1) year of relicensure, unless otherwise specifically indicated:

- A. 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.
- B. 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.

In order to receive credit for completion of this/these course(s), Petitioner 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. Petitioner 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.*

V. MONITORING FEE

PETITIONER SHALL pay a monitoring fee in the amount of three hundred fifty dollars (\$350.00) within forty-five (45) days of relicensure. 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.

VI. 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 healthcare setting, for a minimum of sixty-four (64) hours per month for twelve (12) quarterly periods [three (3) years] of employment. This requirement will not be satisfied until twelve (12) quarterly periods of employment as a nurse have elapsed. 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. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER 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 PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(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. **No Night or Rotating Shifts, Overtime, or On-Call:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER

SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which PETITIONER is regularly assigned.

- E. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.
- F. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- G. **Indirect Supervision:** For the remainder of the probation period, PETITIONER 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 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 practice setting to which the PETITIONER is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(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.
- H. **Nursing Performance Evaluations:** 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 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 twelve (12) quarters [three (3) years] of employment as a nurse.

VII. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, PETITIONER SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER SHALL CAUSE the licensed practitioner to

submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and PETITIONER SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

B. While working as a nurse under the terms of this Order, PETITIONER SHALL submit to random periodic screens for alcohol, nalbuphine, propofol and controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when PETITIONER obtains employment and submits the Notification of Employment form to the Board.

- For the first three (3) month [1st quarter] period PETITIONER works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
- For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.
- For the remainder of the probation period, if any, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Any test result for a period of time in which the PETITIONER is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for any or all of the following substances and/or their metabolites:

Amphetamine	Methamphetamine	MDMA
MDA	Alprazolam	Diazepam
Alpha-o-alprazolam	Alpha-Hydroxytriazolam	Clonazepam
Desmethyldiazepam	Lorazepam	Midazolam
Oxazepam	Temazepam	Amobarbital

Butabarbital	Butalbital	Pentobarbital
Phenobarbital	Secobarbital	Codeine
Hydrocodone	Hydromorphone	Methadone
Morphine	Opiates	Oxycodone
Oxymorphone	Propoxyphene	Cannabinoids
Cocaine	Phencyclidine	Ethanol
Heroin	Fentanyl	Tramadol
Meperidine	Carisoprodol	Butorphanol
Nalbuphine	Ketamine	Propofol

Upon enrollment in the Board's drug and alcohol testing program, **PETITIONER SHALL, on a daily basis, call or login online to the Board's designated drug and alcohol testing vendor to determine whether or not PETITIONER has been selected to produce a specimen for screening that day** and SHALL, if selected, produce a specimen for screening that same day at an approved testing location and/or comply with any additional instructions from the vendor or Board staff. Further, **a Board representative may appear** at the PETITIONER'S place of employment at any time during the probation period and require PETITIONER to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which PETITIONER does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject PETITIONER to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

- C. **While under the terms of this Order, PETITIONER SHALL attend at least two (2) support group meetings each week,** one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. PETITIONER SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the chairperson of each group attended by PETITIONER. PETITIONER SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month quarterly period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

VIII. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

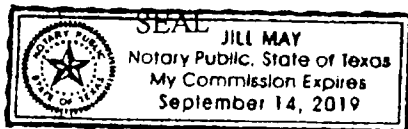
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

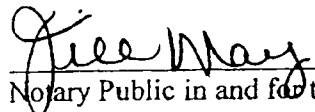
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license(s) to practice nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 13 day of August, 2018.


KRISTINA GAIL RHODES, Petitioner

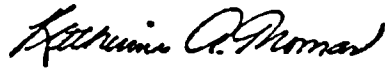
Sworn to and subscribed before me this 13th day of August, 2018.




Notary Public in and for the State of Texas

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 13th day of August, 2018, by KRISTINA GAIL RHODES, Vocational Nurse License Number 192383, and said Order is final.

Effective this 11th day of September, 2018.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas".

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



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	§	AGREED ORDER
Vocational Nurse License Number 192383	§	
issued to KRISTINA GAIL RHODES	§	
	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of KRISTINA GAIL RHODES, Vocational Nurse License Number 192383, 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)(1),(10)&(12), Texas Occupations Code.

Respondent waived notice and hearing and agreed to the entry of this Agreed Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on June 24, 2021.

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 Agreed Order.
3. Respondent's license to practice as a vocational nurse in the State of Texas is in current status.
4. Respondent received a Certificate in Vocational Nursing from Joe G. Davis School of Vocational Nursing, Huntsville, Texas, on December 5, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on January 29, 2004.
5. Respondent's nursing employment history includes:

12/2003 -- 02/2004	Charge Nurse	Green Acres Huntsville, Texas
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Respondent's nursing employment history continued:

02/2004 - 02/2008	Charge Nurse	Sulik Healthcare Huntsville, Texas
2008 - 2009	ADON	Lampstand Bastrop, Texas
03/2008 - 01/2010	MDS Coordinator	Covenant Dove College Station, Texas
02/2010 - 12/2013	LVN Supervisor	Mosaic Bryan, Texas
04/2019 - Present	LVN	Central Texas Heart Center Bryan, Texas

6. On or about September 4, 2013, Respondent was required to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN) through an Order of the Board. A copy of the September 4, 2013, Order is attached and incorporated herein by reference as part of this Agreed Order.
7. On or about February 10, 2014, the Board accepted the Voluntary Surrender of Respondent's license to practice nursing in the State of Texas through an Order of the Board. A copy of the February 10, 2014, Order is attached and incorporated herein by reference as part of this Agreed Order.
8. On or about September 11, 2018, Respondent's license to practice nursing in the State of Texas was Reinstated through an Order of the Board. A copy of the September 11, 2018, Order is attached and incorporated herein by reference as part of this Agreed Order.
9. On or about September 18, 2018, Respondent successfully completed a Board approved course in Texas nursing jurisprudence and ethics, which would have been a requirement of this Order.
10. On or about October 10, 2018, Respondent successfully completed the course, "Sharpening Critical Thinking Skills," which would have been a requirement of this Order.
11. On or about August 12, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on September 11, 2018, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section VII. "DRUG AND ALCOHOL RELATED REQUIREMENTS," Part A, of the Agreed Order which states, in pertinent part:

"...While under the terms of this Order, PETITIONER SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose..."

On or about August 12, 2020, Respondent submitted a random drug screen which resulted positive for ethyl glucuronide and ethyl sulfate.

12. On or about December 24, 2020, Respondent failed to comply with the Agreed Order issued to Respondent on September 11, 2018, by the Texas Board of Nursing. Noncompliance is the result of Respondent's failure to comply with Section VII. "DRUG AND ALCOHOL RELATED REQUIREMENTS," Part A, of the Agreed Order which states, in pertinent part:

"... While under the terms of this Order, PETITIONER SHALL abstain from the use of alcohol, nalbuphine, propofol and all controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose..."

On or about December 24, 2020, Respondent was found to be intoxicated and under the influence of narcotics, alcohol, or a combination of the two during a traffic stop by an officer from the Madisonville Police Department. According to the officer, Respondent was having trouble completing simple tasks, slurred her speech when she asked the officer, "Is this a game?", and fell to the ground after taking a step to complete a Standardized Field Sobriety Test. Respondent was found at the time to be in possession of a ¼ full large bottle of Jameson Whiskey.

13. In response to Findings of Fact Numbers Eleven (11) and Twelve (12), Respondent denies consuming alcohol at any time until December 23, 2020, at which time she made a terrible decision to consume alcohol.
14. Formal Charges were filed on April 29, 2021.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.12(5)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(1),(10)&(12), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 192383, heretofore issued to KRISTINA GAIL RHODES.

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

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Vocational Nurse License Number 192383, previously issued to KRISTINA GAIL RHODES, to practice nursing in the State of Texas is/are hereby **SUSPENDED** and said suspension is **ENFORCED** until RESPONDENT:

- A. Completes an appropriate treatment program approved by the Board;
- B. Provides documentation of successful completion; and
- C. Obtains twelve (12) consecutive months of sobriety, which may be demonstrated by monthly urine drug screens consistent with the "DRUG AND ALCOHOL RELATED REQUIREMENTS" of this Order.

Any relapse prior to the completion of the required twelve (12) consecutive months of sobriety will result in revocation or, at a minimum, an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

IT IS FURTHER AGREED, upon verification of successful completion of the above requirements, the Suspension will be **STAYED**, and RESPONDENT will be placed on **PROBATION** for a minimum of three (3) years **AND** until RESPONDENT fulfills the additional requirements of this Order.

- D. RESPONDENT SHALL submit an application for licensure renewal/reactivation, as applicable, and pay all re-registration fees, if any, and RESPONDENT'S licensure status in the State of Texas will be activated and updated to current status and to reflect the applicable conditions outlined herein.
- E. This Order SHALL apply to any and all future licenses issued to RESPONDENT to practice nursing in the State of Texas.

- F. This Order SHALL be applicable to RESPONDENT'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- g. Until successfully completed, RESPONDENT may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- H. As a result of this Order, RESPONDENT'S license(s) will be designated "single state" as applicable and RESPONDENT may not work outside the State of Texas in another nurse licensure compact party state using a Texas compact license.

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 Nursing Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Agreed Order.

III. SUPERSEDING ORDER

IT IS FURTHER AGREED and ORDERED that the sanction and conditions of this Agreed Order SHALL supersede all previous stipulations required by any Order entered by the Texas Board of Nursing.

IV. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders", which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

V. MONITORING FEE

RESPONDENT SHALL pay a monitoring fee in the amount of three hundred fifty dollars (\$350.00) within forty-five (45) days of the suspension being stayed.

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.

VI. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for twelve (12) quarterly periods [three (3) years] of employment. This requirement will not be satisfied until twelve (12) quarterly periods of employment as a nurse have elapsed. 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 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 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. **No Night or Rotating Shifts, Overtime, or On-Call:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse on the night shift, rotate shifts, work overtime, accept on-

call assignments, or be used for coverage on any unit other than the identified, predetermined unit(s) to which RESPONDENT is regularly assigned.

- D. **No Critical Care:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT practice as a nurse in any critical care area. Critical care areas include, but are not limited to, intensive care units, emergency rooms, operating rooms, telemetry units, recovery rooms, and labor and delivery units.
- E. **No Administration of Controlled Medications:** For the first year [four (4) quarters] of employment as a Nurse under this Order, RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates.
- F. **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. Multiple employers are prohibited.
- G. **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 of 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. Multiple employers are prohibited.
- H. **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 individual who supervises the RESPONDENT

and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for twelve (12) quarters [three (3) years] of employment as a nurse.

VII. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, RESPONDENT SHALL **abstain from the use of alcohol, nalbuphine, propofol and all controlled substances**, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, RESPONDENT SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. In the event that the prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and RESPONDENT SHALL submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.
- B. While working as a nurse under the terms of this Order, RESPONDENT SHALL **submit to random periodic screens for alcohol, nalbuphine, propofol and all controlled substances**. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when RESPONDENT obtains employment and submits the Notification of Employment form to the Board.
- For the first three (3) month [1st quarter] period RESPONDENT works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
 - For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
 - For the next six (6) month period [3rd & 4th quarters], random screens shall be performed at least once per month.
 - For the remainder of the probation period, if any, random screens shall be performed at least once every three (3) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Any test result for a period of time in which the RESPONDENT is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation/probation period.

Specimens shall be screened for any or all of the following substances and/or their metabolites:

Amphetamine	Methamphetamine	MDMA
MDA	Alprazolam	Diazepam
Alpha-o-alprazolam	Alpha-Hydroxytriazolam	Clonazepam
Desmethyldiazepam	Lorazepam	Midazolam
Oxazepam	Temazepam	Amobarbital
Butabarbital	Butalbital	Pentobarbital
Phenobarbital	Secobarbital	Codeine
Hydrocodone	Hydromorphone	Methadone
Morphine	Opiates	Oxycodone
Oxymorphone	Propoxyphene	Cannabinoids
Cocaine	Phencyclidine	Ethanol
Heroin	Fentanyl	Tramadol
Meperidine	Carisoprodol	Butorphanol
Nalbuphine	Ketamine	Propofol

Upon enrollment in the Board's drug and alcohol testing program, **RESPONDENT SHALL, on a daily basis, call or login online to the Board's designated drug and alcohol testing vendor to determine whether or not RESPONDENT has been selected to produce a specimen for screening that day** and SHALL, if selected, produce a specimen for screening that same day at an approved testing location and/or comply with any additional instructions from the vendor or Board staff. Further, **a Board representative may appear** at the RESPONDENT'S place of employment at any time during the probation period and require RESPONDENT to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which RESPONDENT does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject RESPONDENT to 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. Further, failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

- C. **While under the terms of this Order, RESPONDENT SHALL attend at least two (2) support group meetings each week,** one of which must be for substance abuse and provided by Alcoholics Anonymous, Narcotics Anonymous, or another comparable recovery program that has been pre-approved by the Board. RESPONDENT SHALL provide acceptable evidence of attendance. Acceptable evidence shall consist of a written record of at least: the date of each meeting; the name of each group attended; and the signature and printed name of the

chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) month quarterly period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

VIII. SUBSEQUENT CRIMINAL PROCEEDINGS

IT IS FURTHER AGREED, should the RESPONDENT'S conduct, as outlined in the findings of fact of this Agreed Order, result in subsequent judicial action, including a deferred disposition. RESPONDENT may be subject to further disciplinary action, up to, and including, revocation of RESPONDENT'S license(s) to practice nursing in the State of Texas.

IX. FURTHER COMPLAINTS

If, during the period of probation, an additional allegation, accusation, or petition is reported or filed against RESPONDENT'S license(s), the probationary period shall not expire and shall automatically be extended until the allegation, accusation, or petition has been acted upon by the Board.

X. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Agreed Order, all encumbrances will be removed from RESPONDENT'S license(s) and/or privilege(s) to practice nursing in the State of Texas and, subject to meeting all existing eligibility requirements in Texas Occupations Code Chapter 304, Article III, RESPONDENT may be eligible for nurse licensure compact privileges, if any.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this 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, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Texas Board of Nursing and a copy of this Order will be mailed to me once the Order becomes effective. 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 licensure(s) and/or privileges to practice nursing in the State of Texas, as a consequence of my noncompliance.

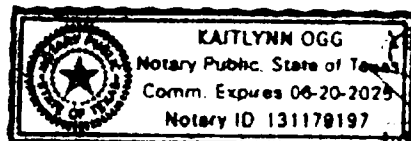
Signed this 20 day of August, 2021.

Kristina Gail Rhodes, LNW
KRISTINA GAIL RHODES, RESPONDENT

Sworn to and subscribed before me this 20th day of August, 2021.

STATE

HASS
Notary Public in and for the State of Texas



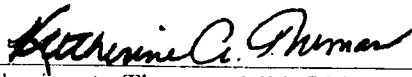
[Signature] Approved as to form and substance.

[Signature] State Bar, Attorney for Respondent

Signed this 20th day of August, 2021.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of August, 2021, by KRISTINA GAIL RHODES, Vocational Nurse License Number 192383, and said Agreed Order is final.

Effective this 21st day of October, 2021.

A handwritten signature in black ink, appearing to read "Katherine A. Thomas", is written over a horizontal line.

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