

# BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	REINSTATEMENT
Vocational Nurse License Number 183464	§	AGREED ORDER
issued to SACAJAWEA MATCHABELLI	§	
JOHNSON	§	

On this day the Texas Board of Nursing, hereinafter referred to as the Board, consider the Petition for Reinstatement, hereinafter referred to as the Petition, of Vocational Nurse License Number 183464, held by SACAJAWEA MATCHABELLI JOHNSON, hereinafter referred to as Petitioner.

Petitioner waived notice and hearing and agreed to the entry of this Reinstatement Agreed Order approved by Kristin K. Benton, DNP, RN, Executive Director, on September 16, 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 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 Reinstatement Agreed Order.
3. Petitioner received a Certificate in Vocational Nursing from Shelby College Center, Center, Texas, on December 14, 2001. Petitioner was licensed to practice vocational nursing in the State of Texas on February 7, 2002.
4. Petitioner's nursing employment history includes:

2/2002 – Unknown	LVN	Nacogdoches Memorial Nacogdoches, Texas
3/2005 – 7/2009	LVN	A Pineywoods Home Health Lufkin, Texas

Petitioner's nursing employment history continued:

7/2009 – 2/2010	LVN	Trinity Mother Frances Tyler, Texas
4/2010 – 6/2013	LVN	Texas Childrens Hospital Houston, Texas
6/2013 – Unknown	LVN	Contract HEDIS (Amerigroup) Houston, Texas
5/2014 – Unknown	LVN	UT Physicians Health Houston, Texas
6/2015 – 4/2016	LVN	Nacogdoches Memorial Hospital Nacogdoches, Texas
4/2016 – 4/2018	LVN	MedMark Treatment Center Lufkin, Texas
4/2018 – Unknown	LVN	Briarcliff Rehabilitation Nursing Facility Carthage, Texas
3/2019 – Unknown	LVN	Outreach Health Services Hemphill, Texas

5. On or about April 16, 2019, the Board accepted the Voluntary Surrender of Petitioner's license to practice nursing in the State of Texas through an Order of the Board. A copy of the April 16, 2019, Order is attached and incorporated herein by reference as part of this Reinstatement Agreed Order
6. On or about June 23, 2023, Petitioner submitted a Petition for Reinstatement of License to practice nursing in the State of Texas.
7. On or about May 16, 2024, Petitioner completed a forensic psychological evaluation performed by Paul Andres, Ph.D, with a polygraph examination. According to Dr. Andrews, Petitioner's current assessment finds no mental health, substance abuse, or behavioral problems which could interfere with this woman's ability to function as a nurse. Dr. Andrews' assessment of Petitioner leads him to conclude that she meets criteria that are outlined for consideration in evaluating "good professional character." Petitioner appears to be a productive and stable citizen of society without criminal leanings or substance abuse

problems. It is Dr. Andrews' opinion that Petitioner is capable of performing responsibly and without impairment as a licensee.

8. Petitioner presented the following in support of said petition:
  - A. Letter of support dated 12/14/2023, from April Calhoun.
  - B. Letter of support dated 12/11/2023, from Marling Cloudy, Sr.
  - C. Letter of support dated 12/11/2023, from Tammy Johnson.
  - D. Letter of support dated 12/14/2023, from Felicia Thompson.
  - E. Letter of support dated 12/5/2023, from Bonnie Vermeulen, LVN.
  - C. Documentation of the required continuing education contact hours.
9. The Executive Director considered evidence of Petitioner's past behavior in light of the factors set out in 22 TEX. ADMIN. CODE §213.27 and determined that Petitioner currently demonstrates the criteria required for relicensure.
10. There is no evidence of any subsequent criminal conduct.
11. The Executive Director considered evidence of Petitioner's past criminal conduct in light of the considerations and criteria provided in 22 TEX. ADMIN. CODE §§213.28 & 213.33, and, as applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
12. 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.
13. 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. This reinstatement is made pursuant to Sections 301.453(c) and 301.467, Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26.
3. The Board may relicense an individual upon evaluation of the factors in 22 TEX. ADMIN. CODE §213.27, and pursuant to 22 TEX. ADMIN. CODE §213.33, if 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. The Board may license an individual who has been previously convicted, adjudged guilty by a court, pled guilty or pled nolo contendere to any crime whether or not a sentence was imposed upon consideration of the factors set out in 22 TEX. ADMIN. CODE §213.28 and evaluating the direct relationship to nursing according to 22 TEX. ADMIN. CODE §213.28 and, as applicable, Chapter 53, Section 53.001 *et seq.*, Texas Occupations Code.
5. 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).
6. 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. REINSTATEMENT OF LICENSURE AND APPLICABILITY**

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of SACAJAWEA MATCHABELLI JOHNSON for reinstatement of license to practice nursing in the State of Texas be **GRANTED** and Vocational Nurse License Number 183464 is/are hereby **REINSTATED** in accordance with the terms of this Order.

- A. Until successfully completed, this Order SHALL apply to any and all future licenses issued to PETITIONER to practice nursing in the State of Texas.
- B. Until successfully completed, this Order SHALL be applicable to PETITIONER'S nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Until successfully completed, PETITIONER may not practice nursing in the State of Texas except in accordance with the terms of this Order.
- D. As a result of this Order, PETITIONER'S license(s) will be designated "single state" as applicable and PETITIONER 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, PETITIONER 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 Reinstatement Agreed Order.

**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 via the Nurse Portal on the Board's website ([www.bon.texas.gov](http://www.bon.texas.gov)). 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:
    - o Review of NPA, Rules, and Position Statements;
    - o Determination of Individual Scope of Practice and role in patient safety;
    - o 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;
  - Pharmacology review;
  - Medication administration;
  - Documentation, quality assurance, and legal implication for nursing practice; and
  - 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 via the Nurse Portal on the Board's website (*www.bon.texas.gov*). 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 and video programs will not be approved.

- B. **The course "Righting a Wrong,"** a 3.0 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) International Center for Regulatory Scholarship (ICRS).

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](http://www.bon.texas.gov/compliance).*

## 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 healthcare setting, for a minimum of sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) 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. **Indirect Supervision:** 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 of 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.

D. **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 individual who supervises the PETITIONER 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 four (4) quarters [one (1) year] of employment as a nurse.

## VI. RESTORATION OF UNENCUMBERED LICENSE(S)

Upon full compliance with the terms of this Reinstatement Agreed Order, all encumbrances will be removed from PETITIONER'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, PETITIONER may be eligible for nurse licensure compact privileges, if any.

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### PETITIONER'S CERTIFICATION

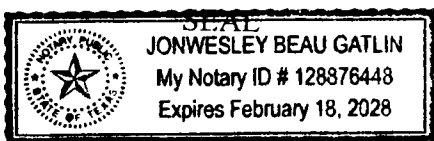
I understand this Order is conditioned upon the accuracy and completeness of my petition and disclosures. I further understand that subsequently discovered discrepancies in my petition and/or disclosures will result in investigation and possible disciplinary action, up to revocation of my license(s).

I have reviewed this Order. I understand that I have the right to legal counsel prior to signing this Order. I waive representation by counsel. 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, I will be subject to investigation and disciplinary sanction, including REVOCATION of my license(s) and/or nurse licensure compact privileges, if any, to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6<sup>th</sup> day of February, 2025.

Sacajawea Matchabelli Johnson  
SACAJAWEA MATCHABELLI JOHNSON,  
PETITIONER

Sworn to and subscribed before me this 6<sup>th</sup> day of February, 2025.



Jon Wesley Beau Gatlin  
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 6th day of February, 2025, by SACAJAWEA MATCHABELLI JOHNSON, Vocational Nurse License Number 183464, and said Reinstatement Agreed Order is final.

Effective this 18th day of March, 2025.

*Kristin K. Benton, DNP, RN*

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



accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.  
Executive Director of the Board

## BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of  
Vocational Nurse License Number 183464  
issued to SACAJAWEA MATCHABELLI  
JOHNSON

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### AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SACAJAWEA MATCHABELLI JOHNSON, Vocational Nurse License Number 183464, 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)(3), 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 February 15, 2019.

### 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 Shelby College Center, Center, Texas, on December 14, 2001. Respondent was licensed to practice vocational nursing in the State of Texas on February 7, 2002.
5. Respondent's nursing employment history includes:

1/2002 – 3/2005

L.V.N.

Nacogdoches Memorial  
Hospital  
Nacogdoches, Texas

Respondent's nursing employment history continued:

3/2005 – 7/2009	LVN	Pineywoods Home Health Lufkin, Texas
7/2009 – 2/2010	LVN	Tinity Mother Frances's Tyler, Texas
4/2010 – 6/2013	LVN	Texas Children's Hospital Houston, Texas
6/2013 – 10/2013	LVN	HealthSouth Rehabilitation Houston, Texas
3/2004 – 5/2015	LVN	UT Health Systems Houston, Texas
6/2015 – 4/2016	LVN	Nacogdoches Memorial Hospital Nacogdoches, Texas
04/2016 – 04/2018	Medication Nurse	MedMark Treatment Centers Lufkin, Texas
04/2018 – Present	Woundcare Nurse	Briarcliff Nursing Home Carthage, Texas

6. On or about October 9, 2017, Respondent entered a plea of Guilty to THEFT AGGREGATE \$1500 - 20K, a State Jail Felony offense committed on July 20, 2014, in the 177th District Court of Harris County, Texas, under Cause No. 150298501010. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of five (5) years, and ordered to pay a fine and court costs.
7. On or about December 17, 2018, Respondent submitted a Timely License Renewal Form License Vocational Nurse to the Texas Board of Nursing in which she answered "Yes" to the question:  
 "Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:  
 A. been arrested and have any pending criminal charges?  
 B. been convicted of a Misdemeanor?  
 C. been convicted of a felony?  
 D. pled nolo contendere, no contest, or guilty?  
 E. received deferred adjudication?

Respondent disclosed on or about October 9, 2017, Respondent entered a plea of Guilty to THEFT AGGREGATE \$1500 - 20K, a State Jail Felony offense committed on July 20, 2014, in the 177th District Court of Harris County, Texas, under Cause No. 150298501010. As a result of the plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of five (5) years, and ordered to pay a fine and court costs.

8. In response to Findings of Fact Number Six (6) and Seven (7), Respondent states she was placed on deferred adjudication October 17, 2017, for overpayment in unemployment. She was unaware that she had been overpaid and was never notified. In the summer of 2017, she applied for a LVN job at Lufkin Police Department and she found out that she had a warrant. Through her court appointed lawyer, she was given the option to say how much time she wanted to pay the overpayment of monies back. She chose 5 years. She reports in Harris County every 3 months and has to complete 120 hours of community service. If her restitution is paid early her deferment can be completed in 2.5 years as long as she does not have any other legal issues.
9. Respondent by her signature expresses her desire to voluntary surrender the license.

#### 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 cause pursuant to Section 301.452(b) (3), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 183464, heretofore issued to SACAJAWEA MATCHABELLI JOHNSON.
4. 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

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 183464 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.

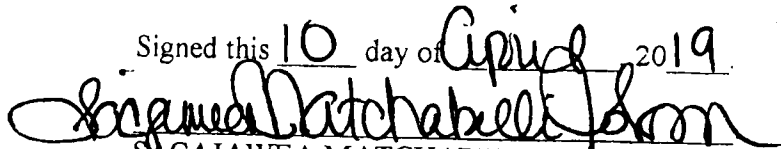
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**RESPONDENT'S CERTIFICATION**

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.

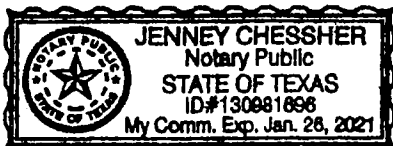
Signed this 10 day of April, 2019.

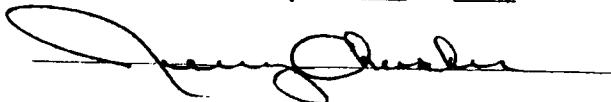


SACAJAWEA MATCHABELLI JOHNSON, Respondent

Sworn to and subscribed before me this 10 day of April, 2019.

SEAL





Notary Public in and for the State of \_\_\_\_\_

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 10th day of April, 2019, by SACAJAWEA MATCHABELLI JOHNSON, Vocational Nurse License Number 183464, and said Agreed Order is final.

Effective this 16th day of April, 2019.



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