



- 6.1. On or about July 20, 1992, while employed as a Licensed Vocational Nurse with Nurse Connection, San Antonio, Texas, and assigned as a supplemental staff nurse at Santa Rosa Children's Hospital, in the Pediatric Intensive Care Unit, Respondent was observed to have the odor of alcohol on her breath and she was not performing to her usual standard. Respondent admitted to her supervisor that she did have a drinking problem and acknowledged a need to seek treatment.
- 6.2. On or about October 23, 1992, the Board of Vocational Nurse Examiners received a written referral from the Texas Peer Assistance Program for Nurses (TPAPN) reporting Respondent to the Board for non-compliance with the program.

A copy of the Complaint and Agreed Board Order dated June 22, 1993, is attached and incorporated by reference as part of this Order.

7. On or about September 18, 1987, Respondent was placed on ten (10) years deferred adjudication probation for the offense of FORGERY, committed on June 15, 1987, in Bell County, Texas. Respondent was also assessed a fine in the amount of two hundred fifty dollars (\$250) and restitution in the amount of three hundred forty-six dollars (\$346).
8. On or about April 9, 1990, Respondent entered a plea of Guilty to THEFT OVER \$20 AND UNDER \$200, (a Class B Misdemeanor offense committed on February 12, 1990), in the County Court at Law No. 4 of Bexar County, Texas, under Cause No. 454,958. As a result of the Guilty plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on Probation for a period of six (6) months. Additionally, Respondent was ordered to pay a fine in the amount of seventy-five dollars (\$75), and court costs.

On or about September 7, 1990, a Motion to Revoke Probation with filed in the County Court at Law No. 4 of Bexar County, Texas, under Cause No. 454958, due to Respondent's failure to report and pay her court-assessed fees.

On or about September 6, 1991, the court filed a Motion to Withdraw Motion to Revoke Probation in the County Court at Law No. 4 of Bexar County, Texas, under Cause 454958, and Unsatisfactorily Dismissed Respondent from Probation.

9. On or about February 21, 2002, Respondent entered a plea of Nolo Contendere and was convicted of THEFT \$50 - \$500, (a Class B Misdemeanor offense committed on August 1, 2001), in the County Court at Law No. 9 of Bexar County, Texas, under Cause No. 793100. As a result of the conviction, Respondent was sentenced to six (6) months confinement in the Bexar County Adult Detention Center. Additionally, Respondent was ordered to pay a fine in the amount of two thousand dollars (\$2000) and court costs.

10. On or about February 19, 2002, Respondent entered a plea of Nolo Contendere and was convicted of ROBBERY, (a 2<sup>nd</sup> Degree Felony offense committed on June 24, 2001), in the 175<sup>th</sup> District Court of Bexar County, Texas, under Cause No. 20014609A. As a result of the conviction, Respondent was sentenced to seven (7) years confinement in the Texas Department of Criminal Justice - Institutional Division and Respondent was required to participate in the Therapeutic Community Program. Additionally, Respondent was ordered to pay a fine in the amount of one thousand dollars (\$1000) and court costs.

On or about February 22, 2005, Respondent was paroled by the Pardon and Parole Board, Austin, Texas, and her parole is scheduled to end on October 2, 2008.

11. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas.

### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Article 4528c, sec. 10(a)(3)&(9), TEX. REV. CIV. STAT. ANN., and Section 302.402(a)(3)(A)&(B)&(10)(effective September 1, 1999), TEX. OCC. CODE ANN., and 22 TEX. ADMIN. CODE §217.13(29)(A)(ii)&(iii).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 100191, heretofore issued to BARBARA JEAN JOHNSON, including revocation of Respondent's vocational license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 100191, heretofore issued to BARBARA JEAN JOHNSON, to practice nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to BARBARA JEAN JOHNSON, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title "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.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: five (5) years have elapsed from the date of completion of parole.
4. 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 multistate privilege, 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 violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, 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 final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

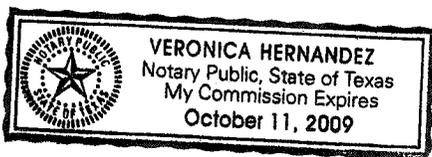
Signed this 3 day of July, 2007.

Barbara J Johnson  
BARBARA JEAN JOHNSON, Respondent

Sworn to and subscribed before me this 3 day of July, 2007.

SEAL

Veronica Hernandez  
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of Vocational Nurse License Number 100191, previously issued to BARBARA JEAN JOHNSON.

Effective this 10th day of July, 20 07.



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