



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.  
*Michelle Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	REINSTATEMENT
License Number 169722	§	
issued to RHONDA DENISE VAUGHN	§	AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Vocational Nurse License Number 169722, by RHONDA DENISE VAUGHN, hereinafter referred to as Petitioner.

An informal conference was held on June 7, 2011, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; and Carolyn Hudson, Investigator.

FINDINGS OF FACT

1. Prior to 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.
2. Petitioner waived representation by counsel, notice and hearing, and agreed to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from South Plains College, Levelland, Texas, on August 28, 1998. Petitioner was originally licensed to practice vocational nursing in the State of Texas on October 14, 1998.

4. Petitioner's vocational nursing employment history includes:

08/98 - 03/99	LVN	Seminole Nursing Home Seminole, Texas
03/99 - 12/99	LVN	Allergy/Asthma Clinic Georgetown, Texas
12/99 - 12/00	Surgery Nurse	North Austin Hospital Austin, Texas
12/00 - 10/03	Phone Triage Nurse	Austin Family Clinic Austin, Texas
2000 - 03/04	Agency Nurse	Care Staff Austin, Texas
10/03 - 03/04	LVN	South Austin Hospital Cardiac Unit Austin, Texas
03/04 - 01/07	Charge Nurse	Hobbs Healthcare Center Hobbs, New Mexico
01/07 to Unknown	Rehab Nurse/Case Manger	Good Samaritan Society Hobbs, New Mexico
06/08 to present	Not employed in nursing	

5. On June 17, 2008, the Texas Board of Nursing accepted the voluntary surrender of Petitioner's license to practice vocational nursing in the State of Texas. A copy of the Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

6. On or about April 13, 2010, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.

7. Petitioner presented the following in support of her petition:
  - 7.1. Letter of support from Claudia Stengel, states that she has been sponsoring Petitioner in the AA program since May 1, 2009. Petitioner attends Hobbs Original Group meetings on Tuesdays and Thursdays and she also attends a weekly meeting at Palmer Drug Abuse Program. Petitioner is also very active in church, teaching Sunday school, and attending Bible study.
  - 7.2. Letter of support from Jared Sloan, Senior Counselor, Palmer Drug Abuse Program, Hobbs, New Mexico, states that Petitioner has been attending counseling and meetings at the Palmer Drug Abuse Program of Lea County since August 3, 2006. Petitioner has been attending an average of two meetings per week. Mr. Sloan states that Petitioner has become a positive role model in the group and has continued to be an individual that others look to for support and friendship. Petitioner has maintained a very active and supportive relationship with her children and developed a church family. Mr. Sloan states that Petitioner has continued to face issues with a new mentality and a willingness to grow and learn.
  - 7.3. Letter of support from Karen Teague, MS, RN, Good Samaritan Society, Hobbs Village, Hobbs, New Mexico, states that she worked with Petitioner for over a year and Petitioner is dependable and capable in her role as Quality Assurance Coordinator and Staff Development Director. Petitioner has grown as a person and as an important part of the Health Care Team. Ms. Teague states that Petitioner is capable of resuming her practice of nursing.
  - 7.4. Letter of support from John D. Rushing, Pastor, Grace Baptist Church, Hobbs, New Mexico, states that Petitioner has been a member of Grace Baptist Church for nine months and has been faithfully attending services and is a lady of good character.
  - 7.5. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.
8. Petitioner gives May 11, 2009, as her date of sobriety.

#### 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.

3. 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.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of RHONDA DENISE VAUGHN, Vocational Nurse License Number 169722, to practice vocational nursing in the state of Texas, be and the same is hereby GRANTED SUBJECT TO THE FOLLOWING CONDITIONS SO LONG AS THE PETITIONER complies 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 the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's nurse licensure privilege, if any, to practice vocational nursing in the State of Texas

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

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has paid all re-registration fees and is issued a license to practice vocational or nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to RHONDA DENISE VAUGHN, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL, within forty-five (45) days of relicensure, apply to TPAPN which SHALL, within ninety (90) days following relicensure, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350) payable to TPAPN.

(3) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

(4) PETITIONER SHALL comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

(5) PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN contract.

IT IS FURTHER AGREED, SHOULD PETITIONER 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 PETITIONER's license and nurse licensure compact privileges, if any, to practice vocational nursing in the State of Texas.

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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 to practice vocational 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 to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of August, 2011.

Rhonda Denise Vaughn  
RHONDA DENISE VAUGHN, Petitioner

Sworn to and subscribed before me this 3<sup>rd</sup> day of August, 2011.

SEAL

Cindy Westerman  
Notary Public in and for the State of New Mexico



OFFICIAL SEAL  
Cindy Westerman  
NOTARY PUBLIC-STATE OF NEW MEXICO  
My commission expires: 7.17.13

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 3rd day of August, 2011, by RHONDA DENISE VAUGHN, Vocational Nurse, License Number 169722, and said Order is final.

Effective this 13th day of September, 2011.



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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse License Number 169722 §     AGREED  
issued to RHONDA DENISE RUESING                             §     ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 169722, issued to RHONDA DENISE RUESING, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, 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 Nursing from South Plains College, Levelland, Texas, on August 28, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on October 14, 1998.
5. Respondent's employment history includes:

March 1999 - December 1999

Allergy/Asthma Clinic Nurse  
Kim Hovanky, M.D.  
Georgetown, Texas



Respondent's vocational nursing employment history (continued):

December 1999 - December 2000	Surgery Nurse North Austin Hospital Austin, Texas
December 2000 - October 2003	Phone Triage Nurse Austin Family Clinic Austin, Texas
2000 - March 2004	Agency Nurse Care Staff Austin, Texas
October 2003 - March 2004	Cardiac Unit South Austin Hospital Austin, Texas
March 2004 - January 2007	Charge Nurse Hobbs Healthcare Center Hobbs, New Mexico
January 2007 - Present	Rehab Nurse/Case Manager Good Samaritan Society Hobbs, New Mexico

6. On or about October 11, 2006, Respondent entered a plea of Guilty to POSS CS PG 1: 4 GRAMS TO 200 GRAMS, (a 2nd Degree Felony offense committed on July 28, 2006), in the 144th Judicial District Court, Bexar County, Texas, under Cause No. 2006CR7335W. 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 four (4) years. Additionally, Respondent was ordered to pay restitution in the amount of \$53, a fine and court costs. Respondent was also ordered to complete the Outpatient Palmer Drug Abuse Program, and to attend Narcotics Anonymous two (2) times a week for two (2) years.
7. On or about February 19, 2008, Respondent submitted a renewal application to the Texas Board of Nursing in which she answered "Yes" to the following question: "In the past 5 years, have you been addicted or treated for the use of alcohol or any other drug?"

In a letter dated April 4, 2008, Jared A. Sloan, CADAC, LADAC, Senior Counselor, Palmer Drug Abuse Program (PDAP) of Lea County, New Mexico, addressed Respondent's treatment. He indicated Respondent had her initial appointment on August 3, 2006. Respondent has been attending 3 meetings a week. She has also had individual counseling

weekly since that initial appointment. He states Respondent has become a positive leader in their group. She has developed her interpersonal relationship skills, parenting techniques, ability to deal with stress, and made progress in both the utilization of healthy coping mechanisms and towards her emotional, social, familial and sobriety oriented goals.

On April 4, 2008, an Addiction Severity Index (ASI) was administered to Respondent. The results show Respondent's growth. Respondent has requested a written commitment for her continued attendance for a period of five (5) years following her release from mandatory involvement with the PDAP.

8. 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.
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.

#### 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 Section 301.452(b)(1)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5)(11)(B)&(13).
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 169722, heretofore issued to RHONDA DENISE RUESING, including revocation of Respondent's 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 License Number 169722, heretofore issued to RHONDA DENISE RUESING, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to RHONDA DENISE RUESING, to the office of the Texas Board of Nursing.
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: 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.
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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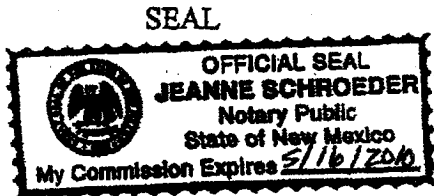
RESPONDENT'S CERTIFICATION

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 10 day of June, 2008.

Rhonda Denise Ruesing  
RHONDA DENISE RUESING, Respondent


Sworn to and subscribed before me this 10 day of June, 2008.



Jeanne Sch...  
Notary Public in and for the State of New Mexico

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 169722, previously issued to RHONDA DENISE RUESING.

Effective this 17th day of June, 2008.

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