

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 86955
ISSUED TO
LAURA LEE RAINBOLT

§
§
§
§
§
§
§

BEFORE THE ELIGIBILITY
AND DISCIPLINARY
COMMITTEE
OF THE TEXAS
BOARD OF NURSING



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.
Patricia R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Laura Lee Rainbolt
25510 Brookhaven # 261
Spring, TX 77373

During open meeting held in Austin, Texas, on March 23, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely Notice regarding the violations alleged in the Formal Charges was given to Respondent in this matter, Respondent has failed to appear in accordance with 22 TEX. ADMIN. CODE Ch. 213.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing (22 TEX. ADMIN.CODE § 213.2(j)). All parties have a right to judicial review of this Order.

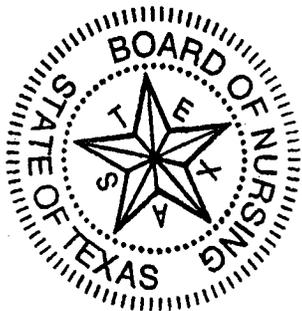
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 86955, previously issued to LAURA LEE RAINBOLT, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 86955, previously issued to LAURA LEE RAINBOLT, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 23rd day of March, 2010.



TEXAS BOARD OF NURSING

BY:

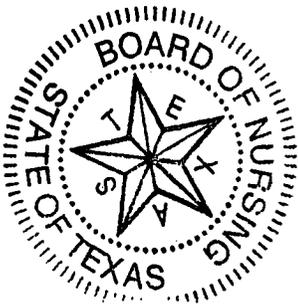

KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

Re: Permanent Certificate Number 86955
Issued to LAURA LEE RAINBOLT
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of March, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Laura Lee Rainbolt
25510 Brookhaven # 261
Spring, TX 77373



BY: Katherine A. Thomas
KATHERINE A. THOMAS, MN, RN
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

In the Matter of Permanent License § **BEFORE THE TEXAS**
Number 86955, Issued to §
LAURA LEE RAINBOLT, Respondent § **BOARD OF NURSING**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, LAURA LEE RAINBOLT, is a Vocational Nurse holding license number 86955, which is in Delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about June 19, 2009, Respondent's license to practice vocational nursing in the State of Arkansas was issued the sanction of PROBATION for a period of three (3) years, by the Arkansas State Board of Nursing, Little Rock, Arkansas. A copy of the Consent Agreement, dated June 19, 2009, is attached and incorporated by reference as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

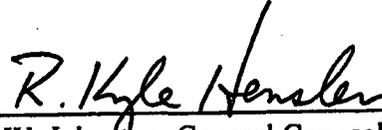
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.state.tx.us.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.state.tx.us/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Arkansas State Board of Nursing Consent Agreement dated June 19, 2009.

Filed this 22nd day of December, 2009.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Renee Koslan Abel, Assistant General Counsel
State Bar No. 24036103

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: Arkansas State Board of Nursing Consent Agreement dated June 19, 2009.

0999/D



ARKANSAS STATE BOARD OF NURSING

1123 S. University Avenue, Suite 800, University Tower Building, Little Rock, AR 72204
Phone: (501) 686-2700 Fax: (501) 686-2714 www.arsbn.org

Faith Fields
Executive Director

Fred Knight
General Counsel

Board Members:

Kathy Hicks
President
Rogers

Lori Eakin
Vice President
Smackover

Brenda Murphree
Secretary
El Dorado

Peggy Morgan
Treasurer
Osceola

Cynthia Burroughs
Little Rock

Darlene Byrd
Cabot

Gladwin Connell
Little Rock

Clevesta Flannigan
Camden

Cassandra Harvey
Brinkley

Roger Huff
Springdale

Sandra Priebe
Mountain Home

Doris Scroggin
Vilonia

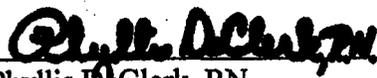
Cathleen Shultz
Searcy

June 23, 2009

ATTN: Carla L. Krampota
Ad-Tech Asst. Supervisor
Texas Board of Nursing
333 Guadalupe Street, Suite 3-460
Austin, Texas 78701

CERTIFICATION

I, Phyllis DeClerk, Registered Nurse, Director of Nursing Practice, do hereby certify that the attached copy of the Arkansas State Board of Nursing's disciplinary documents, regarding Laura Lee Ellis Rainbolt, LPN License No. L15831, [REDACTED] is a true and correct copy of the original documents on file in the office of the Arkansas State Board of Nursing.


Phyllis DeClerk, RN,
Director of Nursing Practice



[REDACTED]

BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

CONSENT AGREEMENT

A complaint charging Laura Lee Ellis Rainbolt (hereinafter referred to as "Respondent") with violations of the Arkansas Nurse Practice Act has been received by the Arkansas State Board of Nursing (hereinafter referred to as "the Board"). In the interest of a prompt and speedy settlement of the above-captioned matter consistent with the public interest, statutory requirements and the responsibilities of the Board, the undersigned parties enter into this Consent Agreement as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact, Conclusions of Law and Order:

I. Findings of Fact

1. The Respondent is the holder of Arkansas LPN License No. L15831.
2. The Respondent self-reported on or about January 23, 2009, obtaining a controlled substance (Hydrocodone) by fraud, on or about December 22, 2008, December 31, 2008, and January 8, 2009.
3. The Respondent advised the physician and clinic she was employed by, that she had called in unauthorized prescriptions under the physician's name for her husband, for Amoxicillin and Hydrocodone/APAP 10/500.
4. The Respondent admitted to taking the Hydrocodone/APAP 10/500 for her personal use.

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

UR 5. The Respondent had an iatrogenic addiction to controlled substances after a fall necessitating knee surgery and subsequent complications the ~~summer~~^{Fall} of 2008. UR

UR 6. The Respondent was compliant with the clinic's request to seek in-patient detoxification and out-patient treatment. UR

UR 7. The Respondent remains employed by the physician and clinic, who, in written statement of support, fully support her recovery efforts. ^{INCORRECT - WAS} ~~TERMINATED~~ UR

II. Conclusions of Law UR

UR 1. Pursuant to Ark. Code Ann. §17-87-203 and §17-87-309, the Board has subject matter and personal jurisdiction in this matter. UR

UR 2. The conduct described in the Findings of Fact constitutes a violation of Ark. Code Ann. §17-87-309(a)(1), (a)(4) and (a)(6). UR

UR 3. The conduct described in the Findings of Fact constitutes sufficient cause pursuant to Ark. Code Ann. §17-87-309 to suspend, revoke or otherwise discipline a licensee who possesses a nursing license or the privilege to practice nursing in the State of Arkansas. UR

III. Order UR

UR 1. The Respondent admits the Board's Findings of Fact and Conclusions of Law. UR

UR 2. In lieu of a formal hearing on these issues, Respondent agrees to the issuance of the attached Order and waives all rights to a hearing, appeal or judicial review relating to the Order. UR

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

UR 3. The Respondent understands that all investigative materials prepared or received by the Board concerning these violations and all notices and pleadings relating thereto may be retained in the Board's file concerning this matter. UR

UR 4. The Respondent understands that those admissions are conclusive evidence of a prior violation of the Arkansas Nurse Practice Act and may be used for the purposes of determining sanctions in any future disciplinary matter. UR

UR 5. The Respondent understands the right to consult legal counsel prior to entering into this Consent Agreement and such consultation is waived. UR

UR 6. The Respondent understands as a result of entering into this Consent Agreement that the terms of this agreement become public record and shall be reported to the National Council of State Boards of Nursing Disciplinary Data Bank and the Healthcare Integrity and Protection Data Bank. UR

UR 7. The Respondent understands that this Consent Agreement is effective upon its acceptance by the Board. UR

I have initialed each numbered and lettered paragraph of the proposed CONSENT AGREEMENT as proof that I have READ IT, UNDERSTAND IT, and do not wish to contact the Arkansas State Board office for further explanation. I accept the proposed CONSENT AGREEMENT as stated.

State of Arkansas)
)ss
County of Perry)

Laura Rainbolt
RESPONDENT'S SIGNATURE

5-8-09
DATE

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

Subscribed and Sworn to before me, a Notary Public, on this 8th day of May, 2009.

Wendy Smithpeters
Notary Public

My Commission Expires:

11/16/2016



BEFORE THE ARKANSAS STATE BOARD OF NURSING

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

ORDER

In view of the above Findings of Fact, Conclusions of Law, and the consent of the Respondent, the Board hereby issues the following Order:

1. The Respondent consents to the terms and conditions of the Order and waiver of a public hearing is accepted.

2. The Respondent's license as an LPN is placed on probation for three (3) years. Probation is to commence on the effective date of this Order and is subject to the following conditions:

a. Within five (5) days upon receipt of this Order, the Respondent's license must be sent to the Board so that the license can be marked "probation."

b. The Respondent must provide evidence of successful completion of a Board approved course "The Arkansas Nurse Practice Act" by September 15, 2009, and "Legal and Ethical Issues in Nursing" by November 15, 2009, to the Board staff.

c. The Respondent must notify each present and future employer in professional nursing of this Order of the Board and the probation conditions on Respondent's license and present to every employer in professional nursing a copy of this Consent Agreement and Order.

d. The Respondent, if employed as a nurse, must practice under an employer-impaired nurse contract. A copy of the employer-impaired nurse contract and a quarterly

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

Performance Evaluation Report must be submitted by the employer to the Board. It is the responsibility and duty of the Respondent to insure that the employer submits these documents in a timely fashion. *UR*

UR e. The Respondent must immediately notify the Board in writing of any change, even a temporary one, in name, address, or employer. *UR*

UR f. The Respondent may not work outside the State of Arkansas in another compact licensure state without written permission of the Arkansas State Board of Nursing and the Board of Nursing in the compact licensure state where the Respondent wishes to work. *UR*

UR g. The Respondent shall attend AA/NA, or other Board approved treatment program and must submit quarterly reports to the Board. The 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, the purpose of the meeting, and the signature or signed initials of the chairperson of each group attended by Respondent. It is ordered that the Respondent shall attend at least two (2) AA/NA or other Board approved support group meetings a week during the period of supervision. *UR*

UR h. The Respondent must submit to random urine drug screens. The urine drug screens must meet the criteria established by the Board and be conducted through a Board-approved drug screen monitoring program and laboratory. Contact must be made with a Board-approved drug screen-monitoring program within five (5) business days of receipt of this Order. The Respondent cannot submit urine specimens at the Respondent's place of employment or

IN THE MATTER OF:

LAURA LEE ELLIS RAINBOLT

LPN LICENSE NO. L15831

practice site. The Respondent cannot collect any Board of Nursing ordered program participant urine drug screen. (See Attachment No. 1) *UR*

*UR*i. The Respondent must abstain at all times from the use of controlled or abuse potential substances, including alcohol, except as prescribed by a licensed practitioner from whom medical attention is sought. Respondent shall not consume hemp, poppy seeds, or any product or by-product containing the same. Respondent shall inform all licensed practitioners who authorize prescriptions of controlled or abuse potential substances of Respondent's dependency on controlled or abuse potential substances, and Respondent shall cause all such licensed practitioners to submit a written report identifying the medication, dosage, and the date the medication was prescribed. The prescribing practitioners shall submit the report directly to the Board within ten (10) days of the date of the prescription. It is the responsibility and duty of the Respondent to insure that the prescribing practitioners submit their written reports in a timely fashion. *UR*

*UR*j. The Respondent is responsible for submitting a personal report to accompany required data to the Board on a quarterly basis. *UR*

*UR*k. The Respondent's responsibility is to insure that all reports are submitted to the Board on a quarterly basis. *UR*

*UR*l. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of nursing in this state. *UR*

*UR*m. All costs involved in complying with this Order shall be borne by the Respondent. *UR*

