BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Registered Nurse	§	
License Number 672276	§	REINSTATEMENT
issued to JENNIFER H. BOLEN	§	AGREED ORDER

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.

Executive Director of the Board

On this day came to be considered by the Texas Board of Nursing, hereinafter referre the Board, the Petition for Reinstatement of Registered Nurse License Number 672276, held by JEN H. BOLEN, hereinafter referred to as Petitioner.

An informal conference was held on September 27, 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 represented by Jon E. Porter, Attorney at Law. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing, Executive Director's Designee; Jena Abel, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; and Diane E. Burell, 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 notice and hearing, and consented to the entry of this Order.

3. Petitioner received a Baccalaureate Degree in Nursing from West Texas A & M University, Canyon, Texas, on December 1, 1999. Petitioner was originally licensed to practice professional nursing in the State of Texas on August 22, 2000.

4. Petitioner's professional nursing employment history includes:

9/00 - 7/01	Staff Nurse	Pampa Regional Medical Center Pampa, Texas
7/01 - 10/01	Staff Nurse	IHS of Amarillo Amarillo, Texas
1/02 - 6/02	Travel Nurse	O'Grady Peyton International Savannah, Georgia
6/02 - 1/05	Staff/Charge Nurse	Medical City of Dallas Dallas, Texas
2/05 - 1/07	Staff Nurse	Presbyterian Hospital Albuquerque, New Mexico
5/07 - 8/08	Staff Nurse	Advantage Medical Staffing
8/08 - 3/10	Staff Nurse	Covenant Specialty Hospital Lubbock, Texas
4/10 - present	Not employed in nursing	

5. On November 25, 2009, PETITIONER was issued an Agreed Order which required her to participate and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the November 25, 2009, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On April 14, 2010, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the April 14, 2010, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

7. On or about June 17, 2011, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.

8. Petitioner presented the following in support of her petition:

   8.1. Order of Expunction, dated May 27, 2011, for Cause No. 2011-5567949 in the 99th District Court of Lubbock County, Texas.

   8.2. Certificate of completion, dated March 25, 2010, from The Ranch at Dove Tree, Residential Treatment Center, Lubbock, Texas.

8.3. Letter of support, dated May 23, 2011, from Annie Henderson, Counselor, The Ranch at Dove Tree, Lubbock, Texas, states Petitioner was admitted to The Ranch at Dove Tree Residential Treatment Center, on March 4, 2010, with a successful discharge on March 25, 2010. She completed her treatment regime, attended all groups and individual sessions, as required. Petitioner appears to have benefitted greatly from her treatment, gained knowledge of the disease concept and recovery process, has been able to maintain sobriety, and appears to be willing to continue working a 12-step program that promotes long term recovery. Petitioner has the ability, with this experience and her recovery, to be an advocate for other persons who suffer from addiction, especially in a nursing role, as she can lead by example, share experience, strength and hope with regards to her own issues in a profession that has direct contact with other addicts/alcoholics. Petitioner openly admits she has had difficult times where she wanted to give up hope and use drugs/alcohol as a means to escape her problems, but she has been able to work through these situations; she has used problem solving techniques, utilized her sponsor and 12-step community , and use positive coping skills to overcome any obstacles. It is Ms. Henderson's belief that Petitioner has found a new way of life, she has shown commitment to her recovery, gone to any lengths to regain a healthy lifestyle as well as adhered to requirements to be reinstated into the nursing field.

8.4. Letter of support from Scott Walker, Intern Counselor, The Ranch at Dove Tree, Lubbock, Texas, states Petitioner has actively participated in the aftercare process group that he facilitates. The group's purpose is to help participants acclimate from the early recovery process to a meaningful life through working the 12-steps of recovery. The groups also help participants process life stressors and, through peer feedback, help them cope with life in a productive manner. Petitioner has shown that she is committed to the recovery process. She has often expressed her love for nursing and the caring of other people is of paramount interest to her. She also has recognized that her recovery is the most important aspect of her life. She has exhibited her commitment to recovery by attending meetings as often as she can and by obtaining a sponsor and applying the 12-steps of recovery to her daily life. Mr. Walker has watched Petitioner grow leaps and bounds. She has been able to handle life's problems with humility and integrity. Mr. Walker feels Petitioner will be a great contribution to the nursing field, as she has a unique understanding of the destructive nature of addiction and the joys of recovery.

8.5. Letter of support, dated May 5, 2011, from Bob Howell, M.Ed., LCDC, CRT, Clinical Director, The Ranch at Dove Tree, Lubbock, Texas, states as Clinical Director, he monitored Petitioner's progress across her treatment which ranged from March 4, 2010, until completion of her program on March 25, 2010. As recommended, Petitioner followed through with regular attendance at their aftercare program as well. Petitioner has been an active contributor to all groups and meetings. Petitioner is working a strong, committed recovery program in that she has endured the breakup of a relationship and remained clean and sober, placing her recovery above all else.

8.6. Letter of support, dated May 19, 2011, from Lloyd Garland, MD, Lubbock, Texas, states he is the immediate past Medical Director of the TXPHP which is an extension of the Texas Medical Board. Dr. Garland states Petitioner has been without her nursing license for over a year. She has been on a urine drug testing program for a year and her tests have remained negative. Dr. Garland states he has only known Petitioner approximately five (5) months. During that time she has regularly attended the local Caduceus meeting as well as multiple 12-step recovery AA/NA meetings weekly. She contributes in meetings, including sharing her story and expression of gratitude for recovery. She has removed herself from adverse influences and has regained a feeling of self-worth which should strengthen her overall recovery. Dr. Garland feels Petitioner has embraced her recovery and has gained considerable insight into her disease. She expresses her love for nursing and her desire to return to the profession.

8.7. Letter of support, dated May 21, 2011, from James Todd Rose, MD, Lubbock, Texas, states he is the current chairman of the Lubbock County Medical Society's Physicians Health and Rehabilitation Committee (LCMS-PHRC). Dr. Rose is the current chairman of LCMS-PHRC and has been familiar with Petitioner since September 2010. Following her relapse, Petitioner has been undergoing random drug testing for greater than twelve (12) months which have all been negative. She attends at least two (2) regular AA meetings per day and has regularly attended the weekly Caduceus meeting without exception. She speaks openly at the meetings and has quickly become a valued member of the group. It is evident to Dr. Rose that Petitioner has a strong recovery program and is implementing it fully into her daily life. Since she first began attending meetings, Dr. Rose has been monitoring her closely. She has been compliant with all that they have asked of her. She has had some significant financial troubles and has worked through these as successfully as anyone can expect. She is currently employed and has recently received a raise due to her performance. She seems to have good insight into her disease and expresses no signs of relapse behavior. Dr. Rose believes Petitioner has clearly grown in her recovery. She is openly passionate about nursing and is hopeful she will someday be able to return to the practice of nursing.

8.8. Letter of support, dated May 18, 2011, from J. Thomas Crammack, MD, Assistant Professor, Texas Tech University, Lubbock, Texas, states he has known Petitioner for over a year. Petitioner has faced her problems with humility, honesty, and fortitude. Dr. Crammack is proud of the progress she has made and truly believes she has grown through this process. Petitioners seems to have embraced the 12-step way of life and is a different, changed person than when she entered the doors a year ago. She has learned how to deal with the stressors of life in a very humble and constructive fashion. She has had many tough periods in this last year that quality as severe life stressors. She has handled them honestly and effectively, without having to resort to drugs or alcohol as a crutch. She has learned that sobriety through the 12-step teachings is about dealing with life on life's terms. Petitioner is a good, caring individual who has been an excellent nurse in the past when not crippled by her addiction. She is talented and compassionate. She has been dedicated to excellent patient care. To not

give Petitioner a fresh start would be squandering her valuable knowledge, education, and passion. Dr. Crammack believes Petitioner is ready to resume practice and that she will be an asset to the profession.

8.9. Letter of support, dated May 2, 2011, from Gary E. Meyerrose, FACC, Professor of Medicine, Texas Tech University, Lubbock, Texas, states he has known Petitioner since September 2010, when she began attending the Caduseus Meetings in Lubbock, Texas. Petitioner has worked on her recovery through Alcoholics Anonymous and has embraced the 12-step program. Petitioner recognizes her character defects. She is capable of dealing with her character defects and she understands her limits. Petitioner deals with her problems constructively rather than in a self-destructive manner. Petitioner is an intelligent young woman who has a strong desire to resume the practice of nursing. She possesses the ability to empathize with people and understands people's problems. Mr. Meyerrose believes Petitioner should resume the practice of nursing.

8.10. Letter of support from Maurice D. Asmussen, MD, states he has known Petitioner through a recovery system rather than a from a professional view. Dr. Asmussen's relationship with Petitioner over the last year has been seeing her in the rooms of recovery such as Alcoholics Anonymous and the professional medical group (Caduseus). These are meetings that she attends frequently and openly participates without reservation and works a serious program of recovery. She has a sponsor and is working the 12-steps of Alcoholics Anonymous. Dr. Individuals that suffer from the disease of alcoholism and drug addiction are able to secure good recovery, can and do provide compassionate and appropriate care in the field of medicine and nursing. Furthermore, Dr. Asmussen is a strong advocate of strict monitoring as established by the Board. The field of nursing is a privilege and a calling and to be taken seriously and compassionately.

8.11. Letter of support, dated May 18, 2011, from Danny Clark, states he met Petitioner approximately eighteen (18) months ago. They attended the same aftercare and are now in the Caduceus group together. He has observed as she has begun to recover from the wreckage of her past. It is obvious that much of who she is, is inseparable from what she does as a career. Mr. Clark believes that Petitioner has embraced recovery and incorporated it into the basic foundation of her new life. Her caring and passion make her an asset to the practice of nursing. Petitioner has gone through some dark valleys during her recovery. Mr. Clark believes that she has learned from these experiences. She seems to understand that the kind of relationship she develops has a great deal to do with her success in recovery. Mr. Clark believes that Petitioner is on the correct path and continues to grow in strength and determination each and every day.

8.12. Letter of support, dated May 18, 2011, from Sally M. Brewer, BSN, RN, CNRN, Covenant Specialty Hospital, Lubbock, Texas, states she met Petitioner while she was a staff nurse on the Intensive Care Unit at Covenant Specialty Hospital in 2009. Ms. Brewer spent considerable time with Petitioner as her charge nurse. Petitioner should resume the practice

of nursing because she is a superb nurse. She was a goal-oriented, competent, and strong team player with a wide knowledge base. She demonstrated a good work ethic and had superb interpersonal skills. She worked as a patient advocate, and did not hesitate to ask questions or ask for help when it was needed. Petitioner had good rapport with patients, families, staff and physicians. She was well organized and completed her work on time. Ms. Brewer believes Petitioner is a changed person and has worked rigorously on her recovery. She has embraced the 12-step program. She has surrounded herself with positive individuals that have assisted her in her recovery. Petitioner understands her limits and deals with her stressors in a constructive manner.

8.13. Letter of support, dated April 29, 2011, from Anthony Trantham, RRT, Covenant Specialty Hospital, Lubbock, Texas, states he has known Petitioner a little over three (3) years. She began working at Covenant Specialty Hospital in January 2008. It was obvious through her work that she was an excellent nurse and cared deeply about those that she cared for. She was dependable, compassionate, and well respected by peers, physicians, families, and her patients. In the past year, Mr. Trantham has seen tremendous growth in Petitioner. She has worked very hard on her recovery and has fully embraced the 12-step program. Her attitude towards life and sobriety are much different than they once were. She knows her stressors and is now well equipped to deal with them in a constructive manner. She has a large support system that she can, has, and will turn to. She has a new found faith and religious aspect in her life that helps her deal with and take life one day, one thing at a time. She has accepted full responsibility for her actions and has worked extremely hard in an effort to make things right.

8.14. Letter of support, dated May 15, 2011, from Dave Pattillo, Chief Financial Officer, Advantage Medical Staffing, Lubbock, Texas, states Petitioner worked for his per diem staffing agency for two (2) years. During this time, Mr. Pattillo witnessed her excellent performance as a nurse as well as her personal decline. Mr. Pattillo has watched Petitioner grow into a new person over the last year and a half. She has embraced the personal changes that must take place to produce long term sobriety.

8.15. Letter of support from Anne E. Martin, RHIT, states she has known Petitioner for thirty-eight (38) years. She watched her develop during her childhood, teen years and into adulthood. Ms. Martin observed the beginning of the disease in Petitioner and her struggles and finally her recovery in the program of Alcoholics Anonymous. The 12-steps is now how she chooses to live. Petitioner now understands her shortcomings and knows how to deal with them in a constructive manner. She has dealt with many of life's worst problems and come through them clean and sober. Ms. Martin knows Petitioner's faults as only a mother can, but also knows her wonderful, giving, caring and loving qualities. Petitioner takes responsibility for her life and her future.

8.16. Letter of support, dated May 20, 2011, from Jane Aland, RN, Lubbock, Texas, states she has known Petitioner for two (2) years. She is a loving, compassionate, and dedicated person for whom the medical community in Lubbock, Texas, has not been able to use over the last year. Ms. Aland has seen Petitioner go through a major life change and she did not turn to drugs or alcohol, she turned to Alcoholics Anonymous, sponsors, and her sober friends. Petitioner has well over exceeded the requirements asked of her. She is very active in her home group.

8.17. Letter of support, dated May 19, 2011, from Joe J. Riley, RN, Lubbock, Texas, states he attends a 12-step support group of recovering alcoholics. A little of a year ago, Petitioner began coming to the group. Mr. Riley will never forget how distraught she was in those early meetings, she was unable to speak without crying. Petitioner has been very active in the group, she works the 12- steps, she has a sponsor and she tries to help other people. Petitioner recently celebrated one (1) year of sobriety. Petitioner has a genuine degree of humility and a desire to make things right, no matter what that takes so that she can stay clean and sober. Mr. Riley has watched Petitioner go through several personal trials in the past year, loss of income, loss of housing and loss of a relationship. Through this time, she continued to work the 12-steps and stayed clean. She is not the same person she was a year ago. Petitioner loves being a nurse and regrets the mistakes she has made that brought her to this point.

8.18. Letter of support, dated May 11, 2011, from Mike Palmentera, Lubbock, Texas, states he has known Petitioner for the past year or so. They met in the program of Alcoholics Anonymous. Mr. Palmentera has witnessed Petitioner make great strides in recovery. The caring and compassion she has expressed to those other women in recovery is an essential ingredient in nursing. Petitioner has continued to make meetings regularly, openly and honestly sharing her feelings.

8.19. Letter of support from Michael Horn, Lubbock, Texas, states he has known Petitioner through the Hub of the Plains Club in Lubbock, Texas, a well established Alcoholics Anonymous group. When she first arrived she was very shy and non-responsive. She is nothing like that today. She shares openly and honestly in group, regardless of the topic. She has learned to cope with adversity by facing it rather than hiding from it and has become an inspiration to all. Mr. Horn would certainly recommend her for any position in the nursing field.

8.20. Letter of support, dated May 14, 2011, from Alton Ryan, Lubbock, Texas, states he has known Petitioner for three (3) years since she began attending meetings at the Hub. In the beginning, she was confused about what it would take to live a comfortable life without substance abuse, but improvements began to show early on. During the past three (3) years, she has demonstrated an ever-increasing ability to do the right things to allow her to be a useful, contributing member of society. By faithfully following the rules of her AA program, she has steadily become more reliable and dependable, taking leadership roles in club activities, and volunteering to work in service to others whenever the need appears. To Mr.

Ryan's knowledge, Petitioner has not touched a mind-altering substance since her sober date of March 5, 2010, even in periods of stress. Mr. Ryan believes she will stay clean and sober because of her dedication to the AA way of life.

8.21. Letter of support, dated May 24, 2011, from Jena Parker states she is Petitioner's sponsor and has been working the steps with her for eighteen (18) months. Petitioner works very hard in her recovery program and contacts Ms. Parker on a daily basis. She takes her recovery very serious and Ms. Parker is very proud of her growth and willingness to the program. Petitioner has worked very hard to comply with whatever she is asked to do and is very responsible in all she does. Ms. Parker supports her fully.

8.22. Letter of support, dated May 5, 2011, from Alisa Daniel states she met Petitioner about nine (9) months ago in a 12-step program of Alcoholics Anonymous. Petitioner has attended meetings of a regular basis and is willing to do anything asked of her. She has tools to cope when she is too tired, hungry, stressed, or just plain aggravated. Petitioner would be an asset to any office or facility.

8.23. Letter of support, dated May 18, 2011, from Darrell Gresham, Levelland, Texas, states he has known Petitioner for over one (1) year. They faithfully attend the same Alcoholics Anonymous meetings and she regularly participates in all aspects of the program. Petitioner has reached a point in her recovery whereby the best way to continue to grow and stay motivated would be for her to resume practicing nursing. Petitioner has a passion for nursing. Her love of people is genuine and she has a heart that is perfect for the nursing field. She is attentive during the meetings. Mr. Gresham has seen Petitioner grow and change in a positive way. She has matured as she worked through all of the 12 steps. She applies what she has learned. She sees the value in, and seeks counsel when necessary from those whom she trusts and who have more experience.

8.24. Letter of support, dated May 27, 2011, from Misti Tucker states she has known Petitioner for three (3) years. When they first met, Ms. Tucker states she saw a woman who was scared, unsure of herself and would sit back and listen, and did not talk much. Petitioner has grown so much. She now shares in meetings and lets people know the real woman. Petitioner has gone through a lot this past year and she is now able to ask for help and work through whatever is going on. Ms. Tucker believes that it would be in Petitioner's best interest to get to resume practicing nursing. She has worked hard to make herself a better person. The public needs a nurse like Petitioner.

8.25. Letter of support, dated May 27, 2011, from Storm Murry, states she has known Petitioner for almost three (3) years. They are both members of the 12-step group at the Hub of the Plains in Lubbock, Texas. Petitioner has grown as a person in all areas of her life. She puts recovery first and knows how important it is for her to stay sober. Petitioner recently put this to the test when she had to choose sobriety over a destructive relationship. It was at this time that Mr. Murry offered Petitioner a job at Optic Blue, a precision optics laboratory. She has

worked for them approximately four (4) months. Petitioner is smart, on time, does her job and is there every day. She has a great attitude. Petitioner needs to get back to her passion which is being a nurse.

8.26. Letter of support, dated September 15, 2011, from Kara Marshall, Customer Service Supervisor, Optic Blue, Lubbock, Texas, states Petitioner has been working under her supervision since February 2011. Ms. Marshall has watched Petitioner progress quickly as she acclimated herself to the pace of a production lab. The requirements of her job are some of the most challenging and stressful of all the positions in the lab. For someone who has had little to no experience in the field, she showed great initiative and ambition to learn. Petitioner has taken each task presented to her in stride and excelled above and beyond expectations. She has been one of the hardest working and diligent employees that Ms. Marshall has ever had in her department. She has been on time, if not early, every day and has not once called in sick. She has constantly taken responsibility for any mistakes made during her learning process and met any obstacles with enthusiasm.

8.27. Letter of support from Jason Blue, President, Optic Blue, states Petitioner has worked with the company since March 2011. She has had perfect attendance. She has a great attitude and she is a quick learner. They have been blessed to have her on their team.

8.28. Documentation of twenty-seven (27) negative random drug screens collected from May 17, 2010, through September 21, 2011.

8.29. Documentation of support group attendance dating from March 25, 2010, through September 15, 2011.

8.30. Verification of successful completion of at least twenty (20) contact hours of continuing education.

9. Petitioner gives March 5, 2010, 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. 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.

3. 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.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of JENNIFER H. BOLEN, Registered Nurse License Number 672276, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS 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 compact privileges, if any, to practice 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 nurse licensure compact 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 pay all re-registration fees and be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to JENNIFER H. BOLEN, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL pay a monitoring fee in the amount of five hundred ($500.00) dollars. PETITIONER SHALL pay this fine 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.

(3) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It 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. PETITIONER SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify PETITIONER's successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address: http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html.*

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH THIRTY-SIX (36) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD:

(4) PETITIONER SHALL notify all future employers in nursing of this Order of the Board and the stipulations on PETITIONER'S license(s). PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(5) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the PETITIONER by the Board, to the Board's office within five (5) days of employment as a nurse.

(6) For the first year of employment as a Nurse under this Order, PETITIONER SHALL be directly supervised by a Registered 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). The 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.

(7) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered 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.

(8) 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 for one (1) year of employment as a nurse.

(9) PETITIONER SHALL NOT practice as a nurse in any critical care area for one (1) year of employment as a nurse. 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.

(10) PETITIONER SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, Propofol, or other synthetic opiates for one (1) year of employment as a nurse.

(11) 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. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month period for three (3) year(s) of employment as a nurse.

(12) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of 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.

(13) PETITIONER SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the PETITIONER'S place of employment at any time during the stipulation period and require PETITIONER to produce a specimen for screening.

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 period.

Any positive result for which the nurse does not have a valid prescription or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY 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.

(14) 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 period. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER's license to practice professional nursing in the State of Texas and PETITIONER shall 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 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.

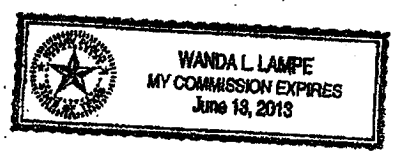
I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms 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 professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 20 day of October, 2011.

JENNIFER H. BOLEN, Petitioner

Sworn to and subscribed before me this 20 day of October, 2011.

SEAL



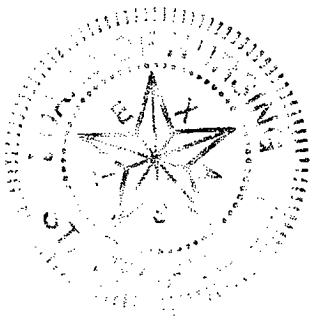
Wanda L. Lampe
Notary Public in and for the State of Tx

Approved as to form and substance:

JON E. PORTER, Attorney for Petitioner

Signed this 21st day of October, 2011.

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 20th day of October, 2011, by JENNIFER H. BOLEN, Registered Nurse License Number 672276, and said Order is final.



Effective this 13th day of December, 2011.

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 672276 §
issued to JENNIFER H. BOLEN §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 672276, issued to JENNIFER H. BOLEN, 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 professional nursing in the State of Texas.

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

3. Respondent received a Baccalaureate Degree in Nursing from West Texas A&M University, Canyon, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 2000.

4. Respondent's complete professional nursing employment history is currently unknown.

5. On or about November 25, 2009, Respondent was issued an Agreed Order by the Texas Board of Nursing, requiring Respondent to apply to, and be accepted into the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated November 25, 2009, is attached and incorporated, by reference, as part of this Order.

6. On or about March 19, 2010, the Texas Board of Nursing notified Respondent of the following allegations:

- On or about February of 2010, while employed as a Registered Nurse with Covenant Specialty Hospital, Lubbock, Texas, and while enrolled in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent falsified a specimen for a drug screen.

- On or about February 25, 2010, Respondent failed to comply with the Agreed Order issued to Respondent on November 25, 2009, by the Texas Board of Nursing. Respondent's non-compliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) in that she engaged in the intemperate use of Alcohol and Propoxyphene in that Respondent submitted a specimen for a drug screen which resulted positive for Ethanol and Propoxyphene. Stipulation Number Three (3) of the Agreed Order dated November 25, 2009, reads, in pertinent part:

  (3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term.

- On or about February 26, 2010, Respondent failed to comply with the Agreed Order issued to Respondent on November 25, 2009, by the Texas Board of Nursing. Respondent's non-compliance is the result of her failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) in that she engaged in the intemperate use of Propoxyphene in that Respondent submitted a specimen for a drug screen which resulted positive for Propoxyphene. Stipulation Number Three (3) of the Agreed Order dated November 25, 2009, reads, in pertinent part:

  (3) RESPONDENT SHALL comply with all requirements of the TPAPN participation agreement during its term.

7. On April 9, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's notarized statement, dated April 5, 2010, is attached and incorporated herein by reference as part of this Order.

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 a violation of Section 301.452(b)(1),(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9),(10)(D)&(11)(B).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.

6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 672276, heretofore issued to JENNIFER H. BOLEN, to practice professional 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:

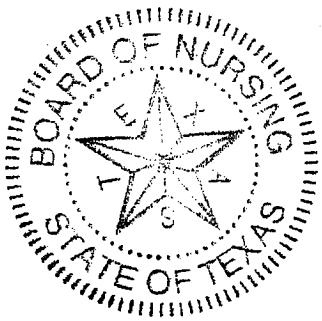
1. RESPONDENT SHALL NOT practice professional nursing, use the title of Registered Nurse or the abbreviation "RN" or wear any insignia identifying herself as a Registered Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Registered Nurse 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 professional nursing in the State of Texas.

Effective this 14th day of April, 2010.



TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

JENNIFER H. BOLEN
2305A 33rd
Lubbock, TX 79411
Texas Registered Nurse License #672276

Voluntary Surrender Statement

March 31, 2020

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Jennifer H. Bolen

Date 4/5/10

Texas Nursing License Number 672276

The State of Texas

Before me, the undersigned authority, on this date personally appeared JENNIFER H. BOLEN who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 5 day of April, 2010.

SEAL

Wanda L. Lampe
Notary Public in and for the State of Tx

WANDA L. LAMPE
MY COMMISSION EXPIRES
June 13, 2013

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	AGREED
License Number 672276	§	
issued to JENNIFER H. BOLEN	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of JENNIFER H. BOLEN, Registered Nurse License Number 672276, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on October 22, 2009, by Katherine A. Thomas, MN, RN, Executive Director.

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.

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 professional nursing in the State of Texas.

4. Respondent received a Baccalaureate Degree in Nursing from West Texas A&M University, Canyon, Texas, on December 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 2000.

5. Respondent's professional nursing employment history is unknown.

6. On or about November 24, 2007, Respondent was arrested by the Texas Highway Patrol, Lubbock, Texas, for FRAUD POSS CS/PRESCRIPTION SCH III/IV (a 3rd Degree felony offense). Subsequently, on May 15, 2008, Respondent entered into a pre-prosecution

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agreement in the Adult Drug Court of Lubbock County, Texas, under Drug Court Number 82, for a period of eighteen (18) months.

7. In response to Finding of Fact Number Six (6), Respondent states: In October 2007 her marriage ended and she made some poor decisions. On November 24, 2007, she was arrested for Possession of a Controlled Substance. On May 7, 2008, she chose to enter the Lubbock County Drug Court Pre-Trial Diversion Program, and in April 2009, she entered the TPAPN.

8. The Respondent's conduct described in the preceding Finding 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 described in Finding of Fact Number Six (6) was significantly influenced by Respondent's impairment by dependency on chemicals.

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 of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5)&(13).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 672276, heretofore issued to JENNIFER H. BOLEN, including revocation of Respondent's license 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.

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ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, 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):

RESPONDENT SHALL deliver the wallet-sized license issued to JENNIFER H. BOLEN, to the office of the Texas Board of Nursing within ten (10) days from the date of ratification of this Order.

(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, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars ($500) 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 her license 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 §§301.001 *et seq.*, the

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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 multistate licensure privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is 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, 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 and multistate licensure privileges, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

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

Signed this 16 day of November 20 09.

JENNIFER H. BOLEN, Respondent

Sworn to and subscribed before me this 16 day of November, 2009.

SEAL

Wanda L. Lampe

Notary Public in and for the State of Tx

WANDA L. LAMPE
MY COMMISSION EXPIRES
June 13, 2013

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby accept and enter the Agreed Order that was signed on the 16th day of November, 2009, by JENNIFER H. BOLEN, Registered Nurse License Number 672276, and said Order is final.

Entered and effective this 25th day of November, 2009.

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

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