BEFORE THE TEXAS BOARD OF NURSING

****

In the Matter of Vocational Nurse	§	AGREED
License Number 103853	§	
issued to CHANETTA DENESE FIELDER	§	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, the Texas Board of Nursing, hereinafter referred to as the B accepted the voluntary surrender of Vocational Nurse License Number 103853, issued to CHANETTA DENESE FIELDER, 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 proceedings, notice 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(s).

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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Gainesville Memorial, Gainesville, Texas on August 12, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on November 30, 1983.

5. Respondent's vocational employment history includes:

1983-1987	LVN	Gainesville Hospital Gainesville, Texas

Respondent's vocational employment history continued:

1988-1989	Not employed in Nursing	
1990-1991	LVN	Keeneland Nursing Center Weatherford, Texas
1992-1993	Not employed in nursing	
1994-1995	LVN	Santa Fe Healthcare Weatherford, Texas
1996-1997	LVN	Weatherford Healthcare Weatherford Healthcare
1998-1999	LVN	Westside Campus of Care Ft. Worth, Texas
1999-2000	LVN	Protouch Agency Ft. Worth, Texas
2000-2004	LVN	Stonegate Nursing Center Ft. Worth, Texas
2004-2004	LVN	Hugley Nursing Center Ft. Worth, Texas
2005-2008	LVN	Sterling House of Weatherford Weatherford, Texas
2009-Present	Unknown	

6. On June 8, 2004, Respondent's license to practice vocational nursing in the State of Texas was issued a Suspend/Probate Agreed Order by the Board of Nurse Examiners for the State of Texas. A copy of the Order of the Board dated June 8, 2004, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

7. On February 7, 2005, Respondent's license to practice vocational nursing in the State of Texas was issued a Voluntary Surrender Order by the Board of Nurse Examiners for the State of Texas. A copy of the Order of the Board dated February 7, 2005, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

8. On March 20, 2007, Respondent's license to practice vocational nursing in the State of Texas was issued a Reinstatement Agreed Order by the Board of Nurse Examiners for the State of Texas requiring her to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Reinstatement Agreed Order of the Board dated March 20, 2007, Findings of Fact and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

9. At the time of the initial incident in Findings of Fact Number Ten (10), Respondent was employed as a Vocational Nurse with Sterling House of Weatherford, Weatherford, Texas and had been in this position for approximately three (3) years.

10. On or about March 12, 2008, while employed with Sterling House of Weatherford, Weatherford, Texas, Respondent engaged in the intemperate use of Alcohol in that she provided a specimen for drug screening which resulted positive for ETG. The use of alcohol by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

11. On or about March 12, 2008, while employed with Sterling House of Weatherford, Weatherford, Texas, Respondent became non-compliant with the Reinstatement Agreed Order issued to her by the Board of Nurse Examiners for the State of Texas on March 20, 2007. Non-compliance is the result of her failure to comply with Stipulation Number Four (4) of the Order which reads, in pertinent part: "PETITIONER SHALL comply with all requirements of the TPAPN contract during its term."

12. On or about March 13, 2008, while employed with Sterling House of Weatherford, Weatherford, Texas, Respondent engaged in the intemperate use of Marijuana in that she provided a specimen for drug screening which resulted positive for Marijuana. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

13. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license(s) to practice nursing in the State of Texas.

14. 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.

15. 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 violation of Section 301.452(b)(1), (9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12 (1)(A),(1)(B),(4),(5),(10)(A), (10)(D)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against License Number 103853, heretofore issued to CHANETTA DENESE FIELDER, including revocation of Respondent's license(s) 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 103853, heretofore issued to CHANETTA DENESE FIELDER, 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 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.

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 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 4 day of 13, 2011.

Chanetta Fielder

CHANETTA DENESE FIELDER, Respondent

Sworn to and subscribed before me this 13th day of April, 2011.

SEAL DONNA TILLMAN Notary Public STATE OF TEXAS My Comm. Exp. August 26, 2014

Donna Tillman

Notary Public in and for the State of Texas 4-26-2014

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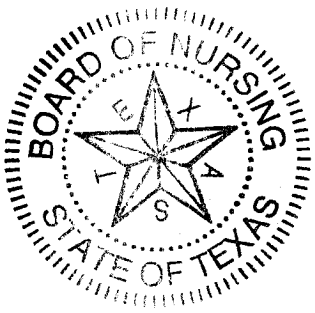
WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 103853, previously issued to CHANETTA DENESE FIELDER.



Effective this 9th day of May, 2011.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of License Number 103853	§	AGREED
issued to CHANETTA DENESE FIELDER	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of CHANETTA DENESE FIELDER, Vocational Nurse License Number 103853, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(9) and (10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on April 9, 2004, by Katherine A. Thomas, MN, RN, Executive Director, subject to ratification by the Board.

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 conference, 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 Certificate in Vocational Nursing from Cooke County College, Gainesville, Texas, on August 12, 1983. Respondent was licensed to practice vocational nursing in the State of Texas, on November 30, 1983.

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

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, and had been in this position for two (2) years and eight (8) months.

7. On or about May 13, 2003, while employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, Respondent engaged in the intemperate use of Cocaine and Marijuana, in that Respondent produced a specimen for a drug screen which resulted positive for Benzoylecgonine (Cocaine) and Carboxy-THC (Marijuana). Possession of Cocaine and Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Cocaine and Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

8. On or about June 24, 2003, while employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, Respondent engaged in the intemperate use of Marijuana, in that Respondent produced a specimen for a drug screen which resulted positive for Carboxy-THC (Marijuana). Furthermore, Respondent admitted that she attempted to alter the results of her drug screen by drinking bleach. Possession of Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

9. On or about July 16, 2003, while employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, Respondent engaged in the intemperate use of Marijuana, in that Respondent produced a specimen for a drug screen which resulted positive for Cannabinoid (Marijuana). Possession of Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

10. On or about September 18, 2003, while employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, Respondent engaged in the intemperate use of Marijuana, in that Respondent produced a specimen for a drug screen which resulted positive for Cannabinoid (Marijuana). Possession of Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

11. On or about September 23, 2003, while employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, Respondent engaged in the intemperate use of Marijuana, in that Respondent produced a specimen for a drug screen which resulted positive for Cannabinoid (Marijuana). Possession of Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

12. On or about January 12, 2004, while employed as a Licensed Vocational Nurse with Stonegate Nursing Center, Fort Worth, Texas, Respondent engaged in the intemperate use of Marijuana, in that Respondent produced a specimen for a drug screen which resulted positive for Cannabinoid (Marijuana). Possession of Marijuana is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Marijuana by a Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

13. Respondent states January 30, 2004, as her date of sobriety.

14. 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)(9) and (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(10) and (28).

4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 103853, heretofore issued to CHANETTE DENESE FIELDER, including revocation of Respondent's vocational license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that Vocational Nurse License Number 103853, previously issued to CHANETTA DENESE FIELDER, to practice vocational nursing in Texas is hereby SUSPENDED and said suspension is enforced until Respondent completes an inpatient treatment program approved by the Board, provides documentation of successful completion, and has obtained twelve (12) consecutive months of sobriety. Any relapse prior to the completion of the twelve (12) consecutive months of sobriety will result in an extension of the enforced suspension until such twelve (12) consecutive months of sobriety and additional treatment have been attained.

IT IS FURTHER ORDERED that Permanent Certificate Number 103853, previously issued to CHANETTA DENESE FIELDER, upon receipt of this Order, be immediately delivered to the office of the Board of Nurse Examiners for the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice vocational nursing in compact states.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order the Respondent 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 Respondent wishes to work.

IT IS FURTHER AGREED, upon verification of successful completion of the approved inpatient treatment and twelve (12) consecutive months of sobriety as set out in this Order, the Suspension will be stayed, and RESPONDENT will be placed on probation for three (3) years with the following agreed terms of probation:

(1) RESPONDENT SHALL comply in all respects with the Texas Occupations

Code, Chapter 301, the Rules and Regulations Relating to Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §231 - 240 and this Order, and any amendments thereof.

(2) RESPONDENT SHALL pay all re-registration fees, if applicable, and be issued a license to practice vocational nursing in the State of Texas with the appropriate notation.

(3) RESPONDENT SHALL, within one (1) year of the stay of suspension, successfully complete a course in nursing jurisprudence. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. 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) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. RESPONDENT 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 RESPONDENT'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 can be found on the Board's website* www.bne.state.tx.us *(under BNE events).*

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. The course shall be a minimum of six (6) contact hours in length. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: principles of nursing ethics; confidentiality; and professional boundaries. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board,

to verify RESPONDENT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board approved courses may be found on the Board's website, www.bne.state.tx.us (under BNE events).*

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A VOCATIONAL NURSE IN THE STATE OF TEXAS, RESPONDENT WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING AND RESPONDENT MUST WORK IN SUCH SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING PROBATION CONDITIONS FOR THREE (3) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY 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 VOCATIONAL NURSE (LVN) LICENSE WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify each present employer in vocational nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in vocational nursing of this Order of the Board and the probation conditions on RESPONDENT's license. RESPONDENT 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.

(6) RESPONDENT SHALL CAUSE each present employer in vocational nursing to submit the Notification of Employment form, which is provided to the Respondent by the Board,

to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Respondent by the Board, to the Board's office within five (5) days of employment as a vocational nurse.

(7) For the first year of employment as a Vocational Nurse under this Order, RESPONDENT SHALL be directly supervised by a Nurse. Direct supervision requires another nurse to be working on the same unit as RESPONDENT and readily available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(8) RESPONDENT SHALL NOT practice as a vocational 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 Respondent is regularly assigned for one (1) year of employment as a vocational nurse.

(9) RESPONDENT SHALL NOT practice as a vocational nurse in any critical care area for one (1) year of employment as a vocational 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) RESPONDENT SHALL NOT administer or have any contact with controlled substances, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates for one (1) year of employment as a vocational nurse.

(11) RESPONDENT SHALL CAUSE each employer to submit, on forms provided

to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice vocational nursing. These reports shall be completed by the Nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising Registered Nurse to the office of the Board at the end of each three (3) months for three (3) years of employment as a vocational nurse.

(12) RESPONDENT 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, RESPONDENT 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 RESPONDENT SHALL submit to an evaluation by a Board approved physician specializing in Pain Management or Psychiatry. The performing evaluator will submit a written report to the Board's office, including results of the evaluation, clinical indications for the prescriptions, and recommendations for on-going treatment within thirty (30) days from the Board's request.**

(13) RESPONDENT 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 second three (3) month period, random screens shall be performed at least once per month. For the remainder of the probation period, random screens shall be performed at least once every three (3) months.

Specimens shall be screened for at least the following substances:

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

A Board representative may appear at the RESPONDENT's place of employment at any time during the probation period and require RESPONDENT 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. RESPONDENT SHALL be responsible for the costs of all random drug screening during the probation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board.

(14) RESPONDENT SHALL attend at least two (2) support group meetings each week, one of which shall be for substance abuse; and 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, and the signature and printed name of the chairperson of each group attended by RESPONDENT. RESPONDENT SHALL submit the required evidence on the forms provided by the Board at the end of every three (3) months. No duplications, copies, third party signatures, or any other substitutions will be accepted as evidence.

IT IS FURTHER AGREED and ORDERED that if during the period of probation, an additional allegation, accusation, or petition is reported or filed against the Respondent's license, the probationary period shall not expire and shall automatically be extended until the allegation,

accusation, or petition has been acted upon by the Board.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice vocational 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 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 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 30 day of April, 2004.

Chanetta Fielder

CHANETTA DENESE FIELDER, Respondent

Sworn to and subscribed before me this 30 day of April, 2003.

SEAL
LENA HARRELL
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 04-08-06

Lena Harrell

Notary Public in and for the State of 04-08-06

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 30th day of April, 2004, by CHANETTA DENESE FIELDER, Vocational Nurse License Number 103853, and said Order is final.

Effective this 8th day of June, 2004.

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of License Number 103853 §
issued to CHANETTA DENESE FIELDER §

ORDER OF THE BOARD

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 103853, issued to CHANETTA DENESE FIELDER, 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 conference, 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 vocational nursing in the State of Texas.

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

3. Respondent received a Certificate in Vocational Nursing from Cooke County College, Gainesville, Texas, in 1983. Respondent was originally licensed to practice vocational nursing in the State of Texas in November 1983.

4. Respondent holds a license to practice Vocational Nursing in the State of Texas which is in suspended status.

5. Respondent's complete employment history is unknown.

6. On June 8, 2004, Respondent's license to practice vocational nursing was suspended by the Board of Nurse Examiners for the State of Texas. A copy of the June 8, 2004, Agreed Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as part of this Order.

7. On or about June 22, 2004, through August 14, 2004, Respondent failed to comply with the Agreed Order issued to her on June 8, 2004, by the Board of Nurse Examiners for the State of Texas. Non-compliance is the result of her practicing as a Licensed Vocational Nurse with Huguley Nursing and Rehabilitation Center, Burleson, Texas while her license was in suspended status. The June 8, 2004, Agreed Order states, in pertinent part:

> ...that Vocational Nurse License Number 103853, previously issued to CHANETTA DENESE FIELDER, to practice vocational nursing in Texas is hereby SUSPENDED....

8. Respondent, on or about January 19, 2005, submitted a notarized statement to the Board expressing her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas. A copy of the January 19, 2005, notarized statement is attached and incorporated, by reference, as part of this Order.

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

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

5. 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 License Number 103853, heretofore issued to CHANETTA DENESE FIELDER, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "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 in surrendered status.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until one (1) year has elapsed from the date of this Order and Respondent has maintained twelve (12) consecutive months of abstinence from alcohol and drugs.

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

Effective this 7th day of February, 2005.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By: Katherine A. Thomas

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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
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In the Matter of Vocational Nurse	§	REINSTATEMENT
License Numer 103853	§	
issued to CHANETTA DENESE FIELDER	§	AGREED ORDER

On this day came to be considered by the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the Petition for Reinstatement of Vocational Nurse License Number 103853, held by CHANETTA DENESE FIELDER, hereinafter referred to as Petitioner.

An informal conference was held on December 5, 2006, at the office of the Board of Nurse Examiners, 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, MSN, RN, Director of Nursing, Executive Director's Designee; E. Joy Sparks, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; Marcia Wilson, RN, Investigator; Laura Ferrell, RN, Investigator; Elise Dunham, Investigator; Noemi Reyes, Investigator; 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 consented to the entry of this Order.

3. Petitioner received a Certificate in Vocational Nursing from Cooke County College, Gainesville, Texas, on August 12, 1983. Petitioner was originally licensed to practice vocational nursing in the State of Texas on November 30, 1983.

4. Petitioner's vocational nursing employment history included:

1983 - 1987	LVN	Gainesville Hospital Gainesville, Texas
1988 - 1989	Not employed in nursing	
1990 - 1991	LVN	Keeneland Nursing Center Weatherford, Texas
1992 - 1993	Not employed in nursing	
1994 - 1995	LVN	Santa Fe Healthcare Weatherford, Texas
1996 - 1997	LVN	Weatherford Healthcare Weatherford, Texas
1998 - 1999	LVN	Westside Campus of Care Ft. Worth, Texas
1999 - 2000	LVN	Protouch Agench Ft. Worth, Texas
2000 - 2004	LVN	Stonegate Nursing Center Ft. Worth, Texas
2004 - 2004	LVN	Hugley Nursing Center Ft. Worth, Texas
2005 - 2006	Not employed in nursing	

5. On June 8, 2004, Petitioner's license to practice vocational nursing in the State of Texas was Suspended by the Board of Nurse Examiners for the State of Texas. A copy of the June 8, 2004, Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

6. On February 7, 2005, Petitioner voluntarily surrendered her license to practice vocational nursing in the State of Texas. A copy of the February 7, 2005, Order, Findings of Fact and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.

7. On or about May 23, 2006, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.

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

8.1. Letter of support, dated June 16, 2006, written by Margaret Gerrard, Executive Director, Sterling House of Weatherford, Weatherford, Texas. Ms. Gerrard states that Petitioner has been employed as a Resident Assistant with Sterling House since January 19, 2005. Petitioner provides direct care to the Residents and assists with orientation training for new hires. Ms. Gerrard states that Petitioner treats each Resident with respect and dignity and she follows proper policy and procedures. She maintains a safe and secure working environment. Ms. Gerrard recommends reinstatement of Petitioner's nursing license.

8.2. Letter of support, dated June 15, 2006, written by Carol Austin, CNA/Medical Assistant, Sterling House of Weatherford, Weatherford, Texas. Ms. Austin states that she has worked with Petitioner for over a year, and she is respectful of the residents, her peers, and the administrative staff. Ms. Austin recommends reinstatement of Petitioner's nursing license.

8.3. Letter of support, dated June 8, 2006, written by Beth Collins states that she has known Petitioner for ten (10) years and worked with her when she was a Licensed Vocational Nurse. She is a very caring and confident person. Ms. Collins recommends reinstatement of Petitioner's nursing license.

8.4. Letter of support, dated June 8, 2006, written by Rose Stephenson states that she has known Petitioner for five (5) years and worked with her when she was a Licensed Vocational Nurse. She is a hardworking woman. Ms. Stephenson states that Petitioner had a positive attitude during a stressful time in her life.

8.5. Letter of support, dated June 8, 2006, written by La Tonya Henderson states that she has known Petitioner for seven (7) years and worked with her when she was a Licensed Vocational Nurse. She is very enthusiastic and willing to do what is required. Ms. Henderson recommends reinstatement of Petitioner's nursing license.

8.6. Letter of support, dated June 16, 2006, written by Edna Fielder states that Petitioner is her stepdaughter, and she has been a part of her family for eight (8) years. Ms. Fielder states that Petitioner is a loving mother that has given valuable advice and has been trying her best to persevere.

8.7. Verification of successful completion of twenty-one (21) Type I Continuing Education Contact Hours.

9. Petitioner gives October 2004, 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 Board of Nurse Examiners, that the petition of CHANETTA DENESE FIELDER, Vocational Nurse License Number 103853, 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 §211.01 et. seq. and the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's multistate 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 professional nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to CHANETTA DENESE FIELDER, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, 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 Board of Nurse Examiners.

(4) PETITIONER SHALL comply with all the requirements of the TPAPN contract during its term.

(5) PETITIONER SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners 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 revocation of Petitioner's license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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 9th day of Jan., 2007.

Chanetta Denese Fielder

CHANETTA DENESE FIELDER, Petitioner

Sworn to and subscribed before me this 9th day of Jan., 2007.

SEAL

Laurie Fitzgerald

Notary Public in and for the State of Texas

LAURIE FITZGERALD
Notary Public
STATE OF TEXAS
My Comm. Exp. 05/16/07

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 9th day of January, 2007, by CHANETTA DENESE FIELDER, vocational nurse, license number 103853, and said Order is final.

Effective this 20th day of March, 2007.

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