BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 51393	§	
issued to PAMELA SUE BELL	§	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 51393, issued to PAMELA SUE BELL, 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, 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 San Saba Memorial Hospital School of Vocational Nursing, San Saba, Texas on August 30, 1971. Respondent was licensed to practice vocational nursing in the State of Texas on April 11, 1972.

5. Respondent's employment history includes:

   April 1972 - February 1979 Unknown

Respondent's vocational nursing employment history continued:

March 1979 to March 1988	Staff LVN	Brownwood Regional Medical Center Brownwood, Texas.
March 1988 to June 1988	Unknown	
June 1988 to June 2008	Staff LVN	Brownwood Clinic Brownwood, Texas.
June 2008 to present	Unknown	

6. On or about March 18, 2008 through June 1, 2008, while holding a license as a Vocational Nurse in the State of Texas, Respondent obtained Hydrocodone and Xanax for Respondent's own personal use through fraudulent orders to Anda Inc., a pharmaceutical company located in Weston, Florida, using the account of Brownwood Clinic, Brownwood, Texas and the name and Drug Enforcement Agency (DEA) number assigned to Christopher Stephens, M.D.

   Respondent's conduct was likely to deceive the pharmaceutical company and possession of Hydrocodone and Xanax through use of fraudulent orders is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

7. In response to Finding of Fact Number Six (6), Respondent admits that she did place the orders for Hydrocodone and Xanax during that period of time and admits to using Dr. Christopher Stephens DEA# and further stated she thought Dr. Stephens had knowledge of what she was doing although she stated Dr. Stephens did not prescribe Hydrocodone and Xanax for her.

8. On or about August 26, 2010, Respondent received an indictment, No. CR20973, from the June Term, of the 35th Judicial District Court, Brown County, Texas for knowingly possess or obtain a controlled substance, namely, Hydrocodone or Xanax, by misrepresentation, fraud, forgery, deception, or subterfuge, to-wit: by illegally ordering the controlled substance, a State Jail Felony. The outcome of this pending criminal charge is unknown at this time. Respondent's conduct was prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

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

10. 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.

11. 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)&(10), Texas Occupations Code and 22 TEX. ADMIN. CODE §217.12(10)(E) & (11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational License Number 51393, heretofore issued to PAMELA SUE BELL, 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 51393, heretofore issued to PAMELA SUE BELL, 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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CONTINUED ON NEXT PAGE.

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 21 day of March, 2011.

Pamela Sue Bell

PAMELA SUE BELL, Respondent

Sworn to and subscribed before me this 21 day of March, 2011.

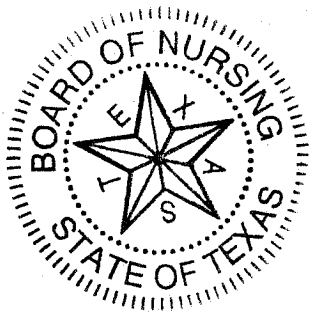
SEAL

Vicki Steele

Notary Public in and for the State of TEXAS

VICKI STEELE
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 8-12-2013

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 51393, previously issued to PAMELA SUE BELL.



Effective this 30th day of March, 2011.

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