

IN THE MATTER OF
PERMANENT CERTIFICATE
NUMBER 689180
ISSUED TO
DEBRA LYNN SHAW EAVES

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



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia R. Thomas
Executive Director of the Board

ORDER OF THE BOARD

TO: Debra Lynn Shaw Eaves
1071 Eaves Loop
Merryville, LA 70653

During open meeting held in Austin, Texas, on December 14, 2010, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case, based on the failure of the Respondent to appear as required by 22 TEX. ADMIN. CODE Ch. 213.

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

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

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

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

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the

proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion for rehearing [22 TEX. ADMIN.CODE § 213.16(j)]. All parties have a right to judicial review of this Order.

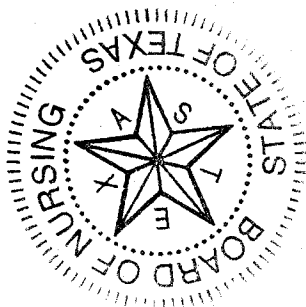
All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 689180, previously issued to DEBRA LYNN SHAW EAVES, to practice professional nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER 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.

Entered this 14th day of December, 2010.

TEXAS BOARD OF NURSING



BY:

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

Re: Permanent Certificate Number 689180
Issued to DEBRA LYNN SHAW EAVES
DEFAULT ORDER -REVOKE

CERTIFICATE OF SERVICE

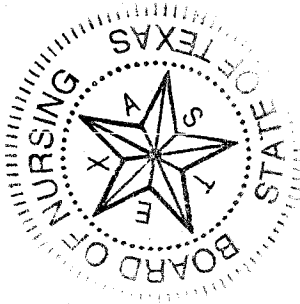
I hereby certify that on the 20th day of December, 2010, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

Debra Lynn Shaw Eaves
1071 Eaves Loop
Merryville, LA 70653

Katherine A. Thomas

BY:

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



In the Matter of Permanent License § BEFORE THE TEXAS
Number 689180, Issued to §
DEBRA LYNN SHAW EAVES, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, DEBRA LYNN SHAW EAVES, is a Registered Nurse holding license number 689180, which is in Delinquent status at the time of this pleading.

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

CHARGE I.

On or about October 22, 2008, Respondent's license to practice professional nursing was SUSPENDED with the SUSPENSION STAYED, and she was placed on PROBATION for a period of three (3) years by the Louisiana State Board of Nursing, Baton Rouge, Louisiana. A copy of the Consent Order, dated October 22, 2008, is attached and incorporated, by reference, as a part of this pleading.

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

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


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

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

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: Louisiana State Board of Nursing Consent Order dated October 22, 2008.

Filed this 7th day of September, 2010.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel

Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

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

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

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

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

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

TEXAS BOARD OF NURSING

333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701

P: (512) 305-6824

F: (512) 305-8101 or (512)305-7401

Attachments: Louisiana State Board of Nursing Consent Order dated October 22, 2008.

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Louisiana State Board of Nursing

17373 Perkins Road

Baton Rouge, LA 70810

Telephone: (225) 755-7500 Fax: (225) 755-7582

<http://www.lsn.state.la.us>

October 29, 2008


Ms. Debra Shaw Eaves
1071 Eaves Loop
Merryville, LA 70653

**RE: ORDER Approving and Accepting
Consent Order.**

Dear Ms. Eaves:

This is official notification that the signed Consent Order submitted by you was approved and accepted by the Louisiana State Board of Nursing in a regularly scheduled meeting on October 22, 2008.

Sincerely,



Barbara L. Morvant, MN, RN
Executive Director

BLM/clf

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:

DEBRA SHAW EAVES
1071 EAVES LOOP
MERRYVILLE, LA 70653

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CONSENT ORDER

Respondent

TERMS AGREED TO BY LICENSEE

I, DEBRA SHAW EAVES, (Respondent), voluntarily agree to sign and have witnessed the terms of agreements for the purpose of avoiding a formal administrative hearing with the Louisiana State Board of Nursing.

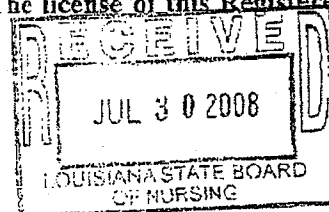
I, DEBRA SHAW EAVES, say that I freely, knowingly and voluntarily entered into this agreement; that I understand that I have a right to a hearing in this matter and I freely waive such right; and that I understand that I have a right to legal counsel prior to entering into this agreement.

I acknowledge that the Louisiana State Board of Nursing makes the following FINDINGS OF FACT:

1. On March 03, 1995, Respondent was licensed by examination to practice as a registered nurse in Louisiana.
2. On January 18, 2008, while employed part-time as a Registered Nurse at Beauregard Memorial Hospital in DeRidder, LA, Respondent exhibited behaviors of impairment, Specifically:
 - At 07:05, upon arrival onto the Labor & Delivery Unit, Respondent had a staggering gait, appeared drowsy and while receiving change of shift report had difficulty holding onto papers, speech was slurred, confused patient information and had difficulty comprehending the conversation.
 - At approximately 07:30, while assisting with the delivery of a C-Section, appeared to move slowly, eyes seemed glassy and distant, speech was slurred and appeared to have a flat affect. After delivery, Respondent had trouble putting the baby's armband together and appeared hesitant to pick up the baby. The house supervisor was notified.
 - At approximately 07:45, while preparing for a C-Section, House Supervisor spoke with Respondent and behaviors included pupils dilated and affect appeared flat. Respondent admitted that at 01:00 A.M. that morning she had taken Xanax 0.5 mg and at 07:00 A.M. reported to work. Respondent stated she has had difficulty coping with her mother's death.

To facilitate submission of this Consent Order, I do not offer any defense to the FINDINGS OF FACT. I agree that the Board has jurisdiction of this matter pursuant to L.R.S. 37:911 et seq. I admit to the findings of fact and agree that there is sufficient evidence upon which to predicate a finding of violation of the provisions of L.R.S. 37:921. I agree that the Board may treat the allegations of fact and law as true, which finding shall have the same force and effect as if evidence and argument were presented in support of the allegations and, based thereon, the Board found the allegations to be true. I specifically waive my right to contest these findings in any subsequent proceedings before the Board.

I understand that this Consent Order shall constitute a public record and is disciplinary action by the Board. I understand that this will be reported to Healthcare Integrity and Protection Data Bank (HIPDB) as Unable to Practice Safely by Reason of Physical Illness or Impairment, (F4) and Other - Failure to Utilize Appropriate Judgment (99). HIPDB Narrative: The license of this Registered Nurse was



LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:

DEBRA SHAW EAVES
1071 EAVES LOOP
MERRYVILLE, LA 70653
Respondent

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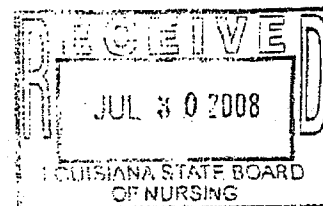
CONSENT ORDER

TERMS AGREED TO BY LICENSEE (CONT'D)

suspended with stay and probated for 3 years for exhibiting behaviors of impairment while on duty. The nurse admitted to taking prescribed anti-anxiety medication approximately six hours before reporting to work.

In order to avoid further administrative proceedings, I hereby consent to accept and abide by the following ORDER of the Board: The license of this registrant is suspended with a stay of the said suspension, and the license is probated for three (3) years with the following stipulations.

1. Prior to returning to work and within 60 days, submit to a psychiatric, psychological and substance abuse evaluation by a psychiatrist, clinical psychologist and addictionist approved by the Board; shall submit all pages of this agreement to evaluator prior to start of the evaluations. Shall authorize and cause a written report of the said evaluation to be submitted to the Board; Shall include the entire evaluation report including diagnosis, course of treatment, prescribed or recommended treatment, prognosis, and professional opinion as to registrant's capability of practicing nursing with reasonable skill and safety to patients. Shall submit copies of this agreement to all evaluators.
2. Refrain from the practice of nursing until cleared to return to work by both Board staff and by the approved evaluators.
3. Immediately submit to all recommendations thereafter of the therapist, physician, or treatment team, and cause to have submitted evidence of continued compliance with all recommendations by the respective professionals. This stipulation shall continue until the registrant is fully discharged by the respective professionals and until approved by the Board staff.
4. If the evaluations give any treatment recommendations or findings to warrant concern for patient safety, shall meet with Board or Board staff. Must demonstrate, to the satisfaction of the Board that she poses no danger to the practice of nursing or to the public and that she can safely and competently perform the duties of a registered nurse. If the Board approves continued licensure, the probation period, conditions or stipulations, may be revised to ensure that patients and the public are protected.
5. If recommended by the therapist, physician or treatment team, immediately sign an agreement with the Recovering Nurse Program, and cause to have submitted evidence of compliance with all program requirements for a minimum of three (3) years.
6. Prior to returning to work, inform all nursing employers of these disciplinary measures and of the probationary status of license. Within two weeks, shall cause all employers to submit, in writing to the Board, that they have reviewed this Order.
7. Work in a restrictive environment as a member of a treatment team rather than alone or with a few employees. Additionally, not be employed in any unsupervised setting. Must be directly supervised by an on-site registered nurse. Not be employed in agency/pool/staffing, home health services, or nursing homes.



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Initials

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:

DEBRA SHAW EAVES
1071 EAVES LOOP
MERRYVILLE, LA 70653

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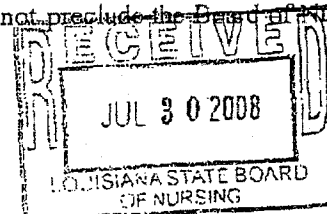
CONSENT ORDER

Respondent

TERMS AGREED TO BY LICENSEE (CONT'D)

8. Within 5 days, shall cause all employers to submit to the Board a signed Employer's Agreement from each employer.
9. Have all immediate nursing supervisors submit a performance evaluation report quarterly or as required by RNP, commencing from the first date of employment.
10. During the period of probation, Respondent shall engage in the practice of professional nursing in Louisiana for a minimum of twenty four (24) hours per week for a minimum of 24 consecutive months.
11. Within 90 days, submit written evidence of completion of 20 hours of LSBN staff approved continuing education hours to include the areas of Legal/Ethical Issues and Chemical Dependency in Health Care Professionals.
12. Immediately (within 72 hours) inform the Board in writing of any change in address.
13. If employed in nursing, immediately inform the Board in writing of all places of employment. If employment changes, the Board shall be immediately (within 72 hours) notified in writing.
14. If unemployed or employed in a non-nursing position, inform the Board in writing on a quarterly basis.
15. Shall remain free of alcohol and all unprescribed mood altering substances. Any mood altering, addictive, or dependency-inducing substance must be currently prescribed for a bona fide medical condition by a physician knowledgeable about the individual's history and the information underlying the Board's concerns. All prescribed drugs must be verified in writing to the Board on a specified form by the individual and the prescribing physicians within five (5) days of this date, and within five (5) day of any new prescriptions. The Board reserves the right to have a LSBN recognized addictionist review and approve the prescriptions for continued nursing practice.
16. Shall submit to supervised random drug screens a minimum of 12 times per year or as required by RNP through an approved LSBN laboratory (bodily fluids {urine, blood, saliva} or hair may be tested). Additional screenings may be requested by Board staff. Written reports of same shall be submitted to the Board.
17. Within four months, submit payment of \$200.00 to the Board.
18. Within eight months, submit payment of \$500.00 fine to the Board.
19. By the first of each month, submit a monthly probation fee of twenty-five dollars (\$25.00) to the Board.
20. Quarterly reports are due on or before the first day of January, April, July, and October.
21. Not have any misconduct, criminal violations or convictions, or violations of any health care regulations reported to the Board related to this or any other incidents.
22. Failure to comply with the above orders, receipt of an unfavorable report, or non-receipt of reports on or before the date due shall result in the immediate suspension of this registrant's license. This suspension can be imposed by action of the staff subject to the discretionary review of the Board.

I, DEBRA SHAW EAVES, understand that this agreement is effective immediately upon signature of the Executive Director. It is also understood that this agreement does not preclude the Board of Nursing from



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Initials

LOUISIANA STATE BOARD OF NURSING
BATON ROUGE, LOUISIANA

IN THE MATTER OF:

DEBRA SHAW EAVES
1071 EAVES LOOP
MERRYVILLE, LA 70653

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CONSENT ORDER

Respondent

TERMS AGREED TO BY LICENSEE (CONT'D)

requiring a formal hearing of my case. I further understand that should the Consent Agreement not be accepted by the Board, I agree that presentation to and consideration of the Consent Agreement, the documentary evidence and information by the Board shall not unfairly or illegally prejudice the Board or any of its members from participation in hearings or other proceedings pertaining to these or other matters regarding this Respondent.

Dated this 28 day of July 2008.

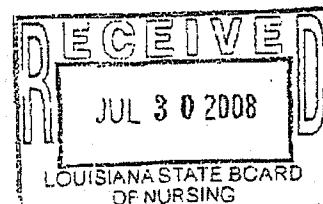
Debra Shaw Eaves
DEBRA SHAW EAVES

Hope Loden
Witness

[Signature]
Witness

LOUISIANA STATE BOARD OF NURSING

Barbara L. Morvant 07/21/2008
Barbara L. Morvant, MN, RN Date
Executive Director



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Initials