



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 A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse § REINSTATEMENT
License Number 680507 §
issued to DEBRA LYNNE SKAGGS § AGREED ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the Petition for Reinstatement of DEBRA LYNNE SKAGGS, Registered Nurse License Number 680507, hereinafter referred to as Petitioner.

An informal conference was held on June 1, 2010, at the office of the Texas Board of Nursing, in accordance with Section 301.464 of the Texas Occupations Code.

Respondent appeared in person. Respondent was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Mary Beth Thomas, PhD, RN, Director of Nursing , Executive Director's Designee; John F. Legris, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; and Diane E. Burell, Investigator.

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 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, informal proceedings, notice and hearing, and agreed to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from New Mexico State University, Alamogordo, New Mexico, on May 1, 1994. Petitioner was licensed to practice professional nursing in the State of Texas on August 2, 2001.

4. Petitioner's professional nursing employment history includes:

7/94 - 10/97	Charge Nurse	Betty Dare Good Samaritan Center Alamogordo, New Mexico
10/97 - 10/98	Case Manager	IHS Home Care Alamogordo, New Mexico
10/98 - 5/01	Staff Nurse	New Mexico School for the Visually Impaired Alamogordo, New Mexico
6/01 - 3/03	Not employed in nursing	
4/03 - 2/04	Nurse Supervisor	Heritage House of San Angelo San Angelo, Texas
3/04 - 5/04	Unknown	
6/04 - 10/04	Charge Nurse	Walnut Hills Convalescent Center Austin, Texas
11/04 - 7/07	Charge Nurse	Wesleyan Nursing Home Georgetown, Texas
3/07 - 6/07	Charge Nurse	Georgetown Nursing Home Georgetown, Texas
7/07 - present	Not employed in nursing	

5. On July 10, 2007, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the July 10, 2007, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

6. On or about March 26, 2010, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.

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

7.1. Letter, dated October 29, 2008, from Stephen Vaughn, Community Supervision Officer, Gaines County, Texas, states Petitioner was placed on one (1) pretrial diversion for the misdemeanor offense of Harassment on August 2, 2007. Her pretrial diversion term was from August 2, 2007, through August 1, 2008. She

completed all the terms and conditions of her pretrial diversion and was given a release from probation on August 1, 2008.

- 7.2. Documentation of Petitioner's satisfactory dismissal of Deferred Adjudication for the offense of Unlawful Possession of Marijuana issued November 4, 2008.
- 7.3. Documentation of Petitioner's satisfactory dismissal of Deferred Adjudication for the offense of Terroristic Threat issued October 30, 2008.
- 7.4. Certificate of completion of a Chronic Anger Management Program dated February 9, 2005.
- 7.5. Letter of support, dated March 7, 2010, from Yvette Espinoza, LVN, Director, Senior Sitters, Austin, Texas, states Petitioner has worked for her company since January 2009. She has always been a perfect employee. She has never missed work and is always on time. Petitioner is very dedicated to the clients, always caring and loving to all. Her skills are the best. She takes great care of all the clients, always keeping them clean and active. Petitioner also worked under Ms. Espinoza's supervision at another company for a year and she was a great employee there also.
- 7.6. Letter of support, dated March 15, 2010, from Charlotte Steward, Austin, Texas, states she has known Petitioner since October 2008. Ms. Steward met Petitioner while working at Toys R Us, and they became good friends. Petitioner is an excellent mentor in the job place and life in general. Petitioner is a very moral and Christian person. Ms. Steward feels the nursing community needs more nurses like Petitioner.
- 7.7. Letter of support, dated March 16, 2010, from Moy Horn, Department Supervisor, Lakeline Toys R Us, Austin, Texas, states Petitioner is pleasant, hardworking, great with customers and one of the most dedicated employees. Ms. Horn has known Petitioner for almost two (2) years. She has been a great friend, coworker, and fellow church parishioner. Petitioner is an independent, self-directed person who is able to communicate effectively and meet even the most demanding challenges. She is an honest, caring person who will make a wonderful nurse and an asset wherever she goes.
- 7.8. Letter of support, dated March 10, 2010, from Rebecca Trevino, San Antonio, Texas, states she has known Petitioner since 1999. Petitioner is a person you can count on for support. Over the last few years, Petitioner has taken a new direction, and her path has led her to find an inner peace. Ms. Trevino states Petitioner should be reinstated so that she can continue with her life work of helping others.

- 7.9. Letter of support, dated March 10, 2010, from Johnny Trevino, San Antonio, Texas, states since he has known Petitioner, she has shown all the wonderful traits of a good person who has worked with people who have need of help through illnesses or just need a hand of compassion. She has done so much good with her hands as a nurse that Mr. Trevino believes she deserves the chance to continue to do so for many years to come.
- 7.10. Documentation of twenty (20) Type I continuing education hours.
8. Petitioner's last know date of sobriety is March 9, 2009, as reflected by a negative drug screen.
9. On April 5, 2010, a follow-up evaluation was conducted by Matthew L. Ferrara, PhD, Austin, Texas, in which he concluded that Petitioner has been abstinent in the past year and she wants to have an opportunity to practice as a nurse again. Petitioner should be considered for licensure, with participation in the TPAPN.
10. Petitioner'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 301.451-301.555, 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 Texas Board of Nursing, that the petition of DEBRA LYNNE SKAGGS, Registered Nurse License Number 680507, to practice 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 §211.1 *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 DEBRA LYNNE SKAGGS, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL, within forty-five (45) days of relicensure, apply to TPAPN which SHALL, within ninety (90) days following relicensure, sign and execute the TPAPN participation agreement, which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500.00) payable to TPAPN.

(3) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Texas Board of Nursing.

(4) PETITIONER SHALL comply with all the requirements of the TPAPN participation agreement during its term and SHALL keep her license to practice nursing in the State of Texas current.

(5) PETITIONER SHALL CAUSE the TPAPN to notify the Texas Board of Nursing of any violation of the TPAPN contract.

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 nurse licensure compact privileges, if any, to practice 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(s) to practice 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

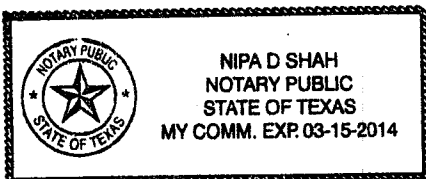
Signed this 25 day of June, 2010.

Debra Lynne Skaggs
DEBRA LYNNE SKAGGS, Petitioner

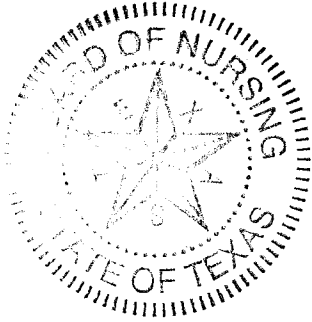
Sworn to and subscribed before me this 25 day of June, 2010.

SEAL


Nipa Shah
Notary Public in and for the State of Texas



WHEREFORE PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 25th day of June, 2010, by DEBRA LYNNE SKAGGS, Registered Nurse License Number 680507, and said Order is final.



Entered and effective this 2nd day of July, 2010.


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 Registered Nurse § AGREED
License Number 680507 §
issued to DEBRA LYNNE SKAGGS § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 680507, issued to DEBRA LYNNE SKAGGS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived informal conference 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.
2. Respondent waived notice and hearing, informal conference, 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 an Associate Degree in Nursing from New Mexico State University, Alamogordo, New Mexico, on May 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on August 2, 2001.
5. Respondent's professional nursing employment history includes:

July 1994 to October 1997

Charge Nurse
Betty Dare Good Samaritan Center
Alamogordo, New Mexico

Respondent's professional nursing employment history continued:

October 1997 to October 1998	Nursing Case Manager IHS Home Care Alamogordo, New Mexico
October 1998 to May 2001	Staff Nurse New Mexico School for the Visually Impaired Alamogordo, New Mexico
June 2001 to March 2003	Not employed in nursing
April 2003 to February 2004	Supervising RN Heritage House of San Angelo San Angelo, Texas
March 2004 to May 2004	Employment Unknown
June 2004 to October 2004	Charge Nurse Walnut Hills Convalescent Center Austin, Texas
November 2004 to Present	Charge Nurse Wesleyan Nursing Home Georgetown, Texas

6. On December 6, 2004, Respondent plead NO CONTEST to the charge of "Unlawful Possession of Marijuana," (a Class B Misdemeanor offense committed on September 12, 2003), in the Tom Green County, Texas, Court at Law, Cause Number 03-03009. Respondent's finding of guilt was deferred and Respondent was placed on probation for a period of eighteen (18) months and assessed a fine in the amount of four hundred eighty-six dollars (\$486.00).
7. On December 6, 2004, Respondent plead NO CONTEST to the charge of, "Terroristic Threat," (a Class B Misdemeanor offense committed on February 1, 2004), in the Tom Green County, Texas, Court at Law, Cause Number 04-01089. Respondent's finding of guilt was deferred and Respondent was placed on probation for a period of eighteen (18) months and assessed a fine in the amount of two hundred thirty-six dollars (\$236.00).
8. On or about September 15, 2005, Respondent submitted a Texas Online Renewal document for Registered Nurses to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive and/or misleading information in that Respondent answered "no" to the following question:

“Have you ever been convicted, adjudged guilty by a court, plead guilty, no contest or nolo contendere to any crime in any state, territory, or country, whether or not a sentence was imposed, including and pending criminal charges or unresolved arrest since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt.”

On December 6, 2004, Respondent plead NO CONTEST to the charge of “Unlawful Possession of Marijuana,” (a Class B Misdemeanor offense committed on September 12, 2003), in the Tom Green County, Texas, Court at Law, Cause Number 03-03009.

On December 6, 2004, Respondent plead NO CONTEST to the charge of “Terroristic Threat,” (a Class B Misdemeanor offense committed on February 1, 2004), in the Tom Green County, Texas, Court at Law, Cause Number 04-01089.

9. On or about June 2005 through November 2005, while employed with Wesleyan Nursing Home, Georgetown, Texas, Respondent made derogatory, threatening, and vulgar comments to staff and residents. Respondent’s conduct may have caused delayed emotional distress for the residents and/or staff, which may not be recognized or felt by the residents and/or staff until harmful consequences occur.
10. On June 15, 2006, Respondent was arrested in Williamson County, Texas, for the offense of "Harassment" a Class B Misdemeanor, committed in Gaines County, Texas. Respondent’s case is currently scheduled for trial in June 2007.
11. On May 7, 2007, Respondent underwent a forensic evaluation performed by Matthew L. Ferrara, Ph.D., Clinical and Forensic Psychologist. Dr. Ferrara states, "Ms. Skaggs’ SASSI-III profile suggests that there is a high probability that she has a substance dependence disorder. Ms Skaggs stated that after her husband committed suicide, she was diagnosed with Posttraumatic Stress Syndrome and Depression. Ms. Skaggs stated that she thinks that her mother is an alcoholic. She stated, “Once an alcoholic, always an alcoholic. I am just like my mother. Based upon this evaluation, it appears that Ms. Skaggs would have some difficulty conforming her behavior to the Nursing Practice Act, Board rules and regulations, and generally accepted standards of nursing practice. Therefore, it is recommended that Ms. Skaggs not be considered for licensure as a nurse."
12. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice professional nursing in the State of Texas.
13. 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.

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 violation of Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §§ 217.12 (6)(C),(F),(H)&(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 680507, heretofore issued to DEBRA LYNNE SKAGGS, including revocation of Respondent's professional license 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 Registered Nurse License Number 680507, heretofore issued to DEBRA LYNNE SKAGGS, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to DEBRA LYNNE SKAGGS, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "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.
3. 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.
4. 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 privilege, if any, to practice professional nursing in the State of Texas.

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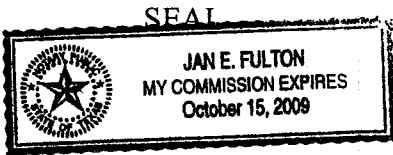
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I 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 29th day of June, 2007.

Debra Lynne Skaggs
DEBRA LYNNE SKAGGS, Respondent

Sworn to and subscribed before me this 29th day of June, 2007.



Jan E. Fulton
Notary Public in and for the State of Texas

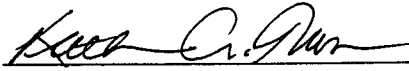
Approved as to form and substance.

Robert L. Siebert
ROBERT L. SIEBERT, Attorney for Respondent

Signed this 29th day of June, 2007.

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of Registered Nurse License Number 680507, previously issued to DEBRA LYNNE SKAGGS.

Effective this 10th day of July, 2007.



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