BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse	§	REINSTATEMENT
License Number 659140	§	
issued to JOY JASPERSON LAWRENCE	§	AGREED ORDER

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

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the Petition for Reinstatement of JOY JASPERSON LAWRENCE, Registered Nurse License Number 659140, hereinafter referred to as Petitioner.

An informal conference was held on April 27, 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 Bonnie Cone, MSN, RN, Nurse Consultant, Executive Director's Designee; Mary Beth Thomas, PhD, RN, Director of Nursing; Kyle Hensley, Assistant General Counsel; Noemi Leal, Supervising Investigator; Dominique Mackey, Investigator; 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 Excelsior College, Albany, New York, on January 1, 1999. Petitioner was licensed to practice professional nursing in the State of Texas on March 30, 1999.

4. Petitioner's professional nursing employment history includes:

4/99 - 3/01	Staff Nurse	Lake Granbury Medical Center Granbury, Texas
3/00 - 9/00	Staff Nurse	All Saints Hospital Fort Worth, Texas
4/01 - 12/01	Unknown	
1/02 - 8/03	Staff Nurse	Clear Lake Regional Medical Center Webster, Texas
9/03 - 7/04	Unknown	
8/04 - 8/05	Staff Nurse	Bayshore Medical Center Pasadena, Texas
11/05 - 10/07	Staff Nurse	Memorial Hermann Healthcare System Houston, Texas
11/07 - 1/08	Unknown	
2/08 - 6/08	Staff Nurse	St. Joseph Hospital Eureka, California
7/08 - present	Not employed in nursing	

5. On November 25, 2008, the Board accepted the voluntary surrender of Petitioner's license to practice professional nursing in the State of Texas. A copy of the November 25, 2008, Agreed Order, Findings of Fact, and Conclusions of Law is attached and incorporated, by reference, as part of this Order.

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

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

   7.1. Letter of support, dated January 6, 2010, from Lauren Kirby, Tyco Thermal Controls, Houston, Texas, states she has known Petitioner for over twenty-five (25) years and has seen her struggle with pain management due to her car accident in 1997. Ms. Kirby has also had the pleasure of seeing Petitioner attend AA/NA meetings regularly

(sometimes twice a day). She has developed deep personal friendships/support to overcome her need to self-medicate and has helped many others overcome the temptation of re-addiction. Petitioner has overcome her pain management issues and is fully rehabilitated. Ms. Kirby knows Petitioner will not use medication again without a prescription. She is ashamed and regretful for her lack of judgment and Ms. Kirby knows she will never make these mistakes again. Petitioner is one of the most caring and sincere people Ms. Kirby has ever had the pleasure of knowing. She exudes love and concern in every fiber of her being. As such, Petitioner makes a first class health care professional. Ms. Kirby highly recommends Petitioner for a bright future in nursing.

7.2. Letter of support, dated January 20, 2010, from Gary Weinard, Ferndale, Washington, states he met Petitioner in Alcoholics Anonymous and has gotten to know her very well. She is a person of high integrity, is very likeable and interacts well with others. Petitioner is a practical individual that is well grounded. Mr. Weinard has high regards for Petitioner and her standards.

7.3. Letter of support, dated January 5, 2010, from Gary Roe, Farmersburg, Indiana, states he has known Petitioner in several capacities for the past twenty-five (25) years. Petitioner is organized, efficient, extremely competent and has an excellent rapport with people of all ages. She has to be the most caring and upbeat person Mr. Roe has ever known. Petitioner's communication skills, both written and verbal, are excellent. Mr. Roe highly recommends Petitioner for any position or endeavor that she may seek.

7.4. Letter of support, dated December 21, 2009, from Dawn Lewis, Ferndale, Washington, states she has enjoyed getting to know Petitioner as her next door neighbor for the past two (2) years. Petitioner has participated in a weekly women's bible study, as well as neighborhood luncheons. Ms. Lewis has observed Petitioner to be a caring, compassionate person, sensitive to the needs of others, and offering concern and support for them. She seems very well suited and capable to perform in nursing.

7.5. Verification of attendance at support group meetings for a period of fifteen (15) months.

7.6. Verification of successful completion of twenty (20) Continuing Education Contact Hours.

8. Petitioner gives June 15, 2006, as her date of sobriety.

9. 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 JOY JASPERSON LAWRENCE, Registered Nurse License Number 659140, 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 §211.01 et. seq. and the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's 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 professional nursing in the State of Texas. Said license issued to JOY JASPERSON LAWRENCE, 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.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I 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.

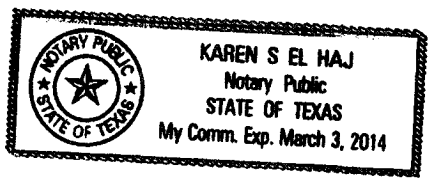
Signed this 17th day of May, 2010.

Joy Jasperson Lawrence

JOY JASPERSON LAWRENCE, Petitioner

Sworn to and subscribed before me this 17 day of May, 2010.

SEAL



Karen S. El-Haj

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 17th day of May, 2010, by JOY JASPERSON LAWRENCE, Registered Nurse License Number 659140, and said Order is final.

Entered and effective this 25th day of May, 2010.

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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Registered Nurse License Number 659140 §
issued to JOY JASPERSON LAWRENCE §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 659140, issued to JOY JASPERSON LAWRENCE, 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 professional nursing in the State of Texas.

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

3. Respondent received an Associate Degree in Nursing from Regents College-Ad, Albany, New York, on January 1, 1999. Respondent was licensed to practice professional nursing in the State of Texas on March 30, 1999.

4. Respondent's professional nursing employment history includes:

04/99 - 03/01	RN	Lake Granbury Medical Center Granbury, TX
03/00 - 09/00	RN	All Saints Hospital Fort Worth, TX

Respondent's professional nursing employment history (continued):

01/02 - 08/03	RN	Clear Lake Regional Medical Center Webster, TX
08/04 - 08/05	RN	Bayshore Medical Center Pasadena, TX
11/05 - 08/06	RN	Memorial Hermann Healthcare Systems Houston, TX
09/06 - Present	Unknown	

5. On or about July 26, 2003, through August 9, 2003, while employed as a Registered Nurse with Clear Lake Medical Center, Webster, Texas, Respondent diverted Dilaudid and Morphine from the facility and patients thereof. Additionally, Respondent admitted to the diversion of Dilaudid and Morphine. Respondent's conduct was likely to defraud the facility and the patients of the cost of the medications.

6. On or about August 17, 2005, through August 23, 2005, while employed as a Registered Nurse at Bayshore Medical Center, Pasadena, Texas, Respondent diverted Demerol, Morphine, and Hydromorphone from the facility and patients thereof. Respondent's conduct was likely to defraud the facility and the patients of the cost of the medications.

7. In response to Findings of Fact Number Five (5) and Six (6), Respondent states that she was in an automobile accident, which caused extensive damage to both knees and ankles. As a result of the physical damage and the 12 hour work days as a nurse, Respondent states that she began diverting pain medication to help her get through her shift.

8. On or about May 26, 2006, while employed as a Registered Nurse at Memorial Healthcare Systems, Respondent engaged in the intemperate use of Amphetamines and Methamphetamines in that she produced a specimen for a random drug screen which resulted positive for Amphetamines and Methamphetamine. Possession of Amphetamines and Methamphetamines without a lawful prescription is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substance Act). The use of Amphetamines and Methamphetamines by a Registered 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

9. On or about June 1, 2006, while employed as a Registered Nurse at Memorial Hermann Healthcare Systems, Houston, Texas, Respondent engaged in the intemperate use of Ethyl Glucuronide in that she produced a specimen for a random drug screen /Ethyl Glucuronide screen which resulted positive for Ethyl Glucuronide. The use of Ethyl Glucuronide by a Registered 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, judgements, and decisions regarding patient care, thereby placing the patient in potential danger.

10. In response to Finding of Fact Number Eight (8) and Nine (9), Respondent states that she does not know how she tested positive for Amphetamines and Methamphetamines, but admits to drinking alcohol, which resulted in the positive screen for Ethyl Glucuronide. Respondent states that she is continuing her 12 step program and attends AA/NA meetings four to six times each week.

11. Respondent states June 15, 2006 as date of sobriety.

12. On October 20, 2008, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. Respondent also states that she is unable to locate her current wallet license. A copy of this statement is attached and incorporated, by reference, as part of this Order.

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)(9)&(10), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.12(1)&(19) (effective to September 28, 2004), and 22 TEX. ADMIN. CODE §217.12(5),(8),(10)(A)&(D)&(11)(B) (effective after September 28, 2004).

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

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

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

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 659140, heretofore issued to JOY JASPERSON LAWRENCE, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

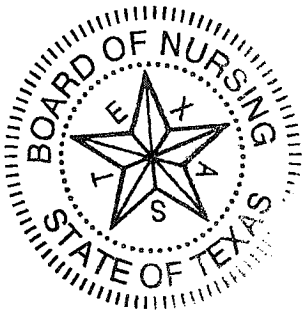
1. RESPONDENT SHALL NOT practice professional nursing, use the title of registered nurse or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.

2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.

3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 25th day of November, 2008.



TEXAS BOARD OF NURSING

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