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

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of	§	AGREED
Vocational Nurse License Number 127007	§	
issued to TINA GAYE SOWELL	§	ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Boa considered the matter of TINA GAYE SOWELL, Vocational Nurse License Number 127007, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1)&(10), Texas Occupations Code. Respondent waived informal conference, notice and hearing, and agreed to the entry of this Order offered on April 15, 2008, 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, informal conference, 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 Panola Junior College, Carthage, Texas, on August 14, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on December 7, 1989.

5. Respondent's vocational nursing employment history includes:

12/89 - 04/94	LVN Staff Nurse	Nacogdoches Medical Center Hospital Nacogdoches, Texas

Respondent's vocational nursing employment history continued:

04/94 - 08/94	LVN Charge Nurse	Green Acres Convalescent Center Center, Texas
08/94 - 02/99	LVN Staff Nurse	Pine Grove Nursing Center Center, Texas
03/99 - 02/01	Unknown	
03/01 - 04/02	LVN Charge Nurse	Willowbrook Nursing Center Nacogdoches, Texas
05/02 - 08/02	Unknown	
09/02 - 02/06	Medical Necessity Nurse	Nacogdoches Memorial Hospital Nacogdoches, Texas
03/06- present	LVN Staff Nurse	Angelina Home Health Services Lufkin, Texas

6. On or about December 19, 2006, Respondent was issued an Agreed Order by the Board of Nurse Examiners for the State of Texas which required her to participate in and successfully complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusions of Law, and Agreed Order dated December 19, 2006, is attached and incorporated, by reference, as a part of this Order.

7. On or about June 2007 through February 2008, Respondent failed to comply with the Agreed Order issued to her on December 19, 2006, by the Board of Nurse Examiners for the State of Texas. Non-compliance is the result of Respondent's failure to comply with all requirements of the Texas Peer Assistance Program for Nurses (TPAPN) contract, including: 1.) Failure to attend the required amount of Alcoholics Anonymous and Narcotics Anonymous meetings; 2.) Failure to obtain the necessary monitoring documents from her employer, and; 3.) Falsification of her advocate quarterly reports. Stipulation Number Three (3) of the Order, dated December 19, 2006, reads in pertinent part:

   "RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term."

8. 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 a violations of Section 301.452(b)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(9)&(11)(B).

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 127007, heretofore issued to TINA GAYE SOWELL, including revocation of Respondent's license to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that Vocational NurseLicense Number 127007, previously issued to TINA GAYE SOWELL, to practice vocational nursing in Texas is hereby SUSPENDED for a period of two (2) years with the suspension STAYED and Respondent is hereby placed on PROBATION for two (2) years with the following agreed terms of probation:

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice 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 Texas Board of Nursing and the Board of Nursing in the party state where Respondent wishes to work.

(1) RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, 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 this Order.

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

(3) RESPONDENT SHALL, within one (1) year of the suspension being stayed, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. 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, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding Sexual Misconduct, Fraud, Theft and Deception, Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, and Lying and Falsification. 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 may be found at the following Board website address: http://www.bon.state.tx.us/about/stipscourses.html.*

(4) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars ($250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of the suspension being stayed. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

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 TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATIONARY PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE LICENSE (LVN) WILL NOT APPLY TO THIS PROBATIONARY PERIOD:

(5) RESPONDENT SHALL notify all future employers in 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 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 nurse.

(7) RESPONDENT SHALL be supervised by a Registered Nurse or by a Licensed Vocational Nurse who is on the premises, with the exception of RESPONDENT'S current position as a Home Health Nurse with Angelina Home Health Services, Lufkin, Texas. Should RESPONDENT'S position as a Home Health Nurse with Angelina Home Health Services, Lufkin,

Texas, cease or change, RESPONDENT SHALL be supervised by a Registered Nurse or by a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Respondent is currently working. RESPONDENT SHALL NOT be self-employed or contract for services. RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency, with the exception of RESPONDENT'S current position as a Home Health Nurse with Angelina Home Health Services, Lufkin, Texas. Should RESPONDENT'S position as a Home Health Nurse with Angelina Home Health Services, Lufkin, Texas, cease or change, RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency.

(8) RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.

(9) 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 nursing. These reports shall be completed by the nurse who supervises the RESPONDENT. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three months for two (2) years of employment as a nurse.

(10) 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.**

(11) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first six (6) 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	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

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 or failure to report for a drug screen, which may be considered the same as a positive result, will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license and multistate licensure privileges, if any, to practice nursing in the State of Texas.

(12) RESPONDENT SHALL participate in therapy with a "professional counselor" possessing credentials approved by the Board. RESPONDENT SHALL CAUSE the therapist to submit written reports, on forms provided by the Board, as to the RESPONDENT's progress in therapy, rehabilitation and capability to safely practice professional nursing. The report must indicate whether or not the RESPONDENT's stability is sufficient to provide direct patient care safely. Such reports are to be furnished each and every month for three (3) months. If therapy is recommended for beyond three (3) months, the reports shall then be required at the end of each three (3) month period for the duration of the probation period, or until RESPONDENT is dismissed from therapy.

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 nursing in the State of Texas.

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 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 nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 26th day of February, 2010.

Tina Gaye Sowell

TINA GAYE SOWELL, Respondent

Sworn to and subscribed before me this 24th day of February, 2010.

SEAL

Joy Campbell

Notary Public in and for the State of Texas

JOY CAMPBELL
Notary Public
STATE OF TEXAS
My Comm. Exp. 05/09/2013

Approved as to form and substance.

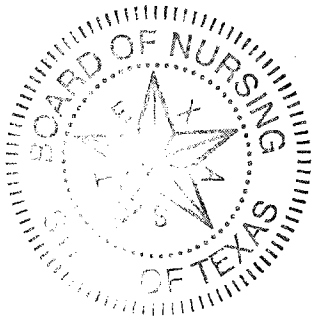
Taralynn C. MacKay

Taralynn Mackay, Attorney for Respondent

Signed this 24th day of February, 2010.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 26th day of February, 2010, by TINA GAYE SOWELL, Vocational Nurse License Number 127007, and said Order is final.

Effective this 22nd day of April, 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 Vocational Nurse	§	
License Number 127007	§	AGREED
issued to TINA GAYE SOWELL	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of TINA GAYE SOWELL, Vocational Nurse License Number 127007, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(10),(12)&(13), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on November 15, 2006, by Katherine A. Thomas, MN, RN, Executive Director.

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 vocational nursing in the State of Texas.

4. Respondent received a Certificate in Vocational Nursing from Panola Junior College, Carthage, Texas, on August 14, 1989. Respondent was licensed to practice vocational nursing in the State of Texas on December 7, 1989.

5. Respondent's vocational nursing employment history includes:

12/89- 4/94	LVN Staff Nurse	Nacogdoches Medical Center Hospital Nacgdoches, Texas

Respondent's vocational nursing employment history continued:

4/94- 8/94	LVN Charge Nurse	Green Acres Convalescent Center Center, Texas
8/94- 2/99	LVN Staff Nurse	Pine Grove Nursing Center Center, Texas
2/99- 3/01	unknown	
3/01- 3/02	LVN Charge Nurse	Willowbrook Nursing Center Nacogdoches, Texas
4/02- 2/06	Medical Necessity Nurse	Nacogdoches Memorial Hospital Nacogdoches, Texas
2/06- present	unknown	

6. At the time of the incidents, Respondent was employed as a Medical Necessity Nurse with Nacogdoches Memorial Hospital, Nacogdoches, Texas, and had been in this position for approximately three (3) years, ten (10) months.

7. On or about February 14, 2006, through February 15, 2006, while employed at Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent withdrew Ativan and Dilaudid from the Medication Dispensing system for patients, but failed to completely and accurately document the administration of the medications in the patients' Medication Administration Records (MARs), Nurses Notes, or both, as follows:

Date/ Time	Patient	NarcoticRecord (Pyxis)	Physician's Order	Medication Administration Record	Nurses Notes	Waste
2/14/06 @ 21:16	01481-93	(1) Ativan	Ativan Q 4-6 prn	initialed- time/date not recorded	Not documented	None
2/14/06 @ 22:28	01481-93	(1) Ativan	Ativan Q 4-6 prn	initialed- time/date not recorded	Not documented	None
2/15/06 @ 00:50	01481-93	(1) Ativan	Ativan Q 4-6 prn	initialed- time/date not recorded	Not documented	None
2/15/06 @ 02:15	00547-51	(4) Dilaudid	No order	Not documented	Not documented	None

Respondent's conduct above was likely to injure the patients in that subsequent care givers would rely on her documentation to further medicate the patient which could result in an overdose.

8. On or about February 14, 2006, through February 15, 2006, while employed at Nacogdoches

Memorial Hospital, Nacogdoches, Texas, Respondent withdrew Ativan from the Medication Dispensing system for patients, but failed to follow the policy and procedure for the wastage of the medications, as follows:

Date/ Time	Patient	NarcoticRecord (Pyxis)	Physician's Order	Medication Administration Record	Nurses Notes	Waste
2/14/06 @ 21:16	01481-93	(1) Ativan	Ativan Q 4-6 prn	initialed- time/date not recorded	Not documented	None
2/14/06 @ 22:28	01481-93	(1) Ativan	Ativan Q 4-6 prn	initialed- time/date not recorded	Not documented	None
2/15/06 @ 00:50	01481-93	(1) Ativan	Ativan Q 4-6 prn	initialed- time/date not recorded	Not documented	None

Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

9. On or about February 14, 2006, through February 15, 2006, while employed at Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent misappropriated narcotics, or failed to prevent the misappropriation of narcotics including, but not limited to, Ativan, belonging to the facility and patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.

10. On or about February 14, 2006, through February 15, 2006, while employed at Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent lacked fitness to practice vocational nursing in that Respondent exhibited impaired behavior including, but not limited to, falling asleep on duty, exhibiting grogginess and low affect. Respondent's conduct could have affected her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

11. On or about February 14, 2006, while employed at Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent failed to document patient assessments or nursing care rendered for her assigned patients. Respondent's conduct above was likely to injure the patients in that subsequent care givers would rely on her documentation to further treat the patients.

12. On or about February 14, 2006, while employed at Nacogdoches Memorial Hospital, Nacogdoches, Texas, Respondent failed to obtain Patient Medical Record Number 01094-64's consent for a left carotid endarterectomy as ordered by the physician. Respondent's conduct was likely to injure the patient in that the patient could have suffered from adverse complications due to delayed treatment of the patient's disease process.

13. On or about October 3, 2006, and October 16, 2006, Respondent was seen by Dr. Rion N. Hart, Ph.D. to undergo a forensic psychological evaluation with a chemical dependency component and a polygraph test. The results of the MMPI-2 yielded elevations on a number of scales indicative of an individual who is feeling very depressed and discouraged. There were also elevations on supplementary scales indicating post traumatic-like symptoms with abundant anxiety and marital distress. Respondent stated to the polygraph examiner that on February 14, 2006, through February 15, 2006, she was very tired and kept falling asleep at work because she took several medications. Respondent stated that she had taken two (2) Vicodin ES for a toothache before she went in to work and another Vicodin ES about an hour after she arrived for work. Respondent admitted that she uses Ephedrine to stay awake many times, and that she has injected herself with Toradol, Benadryl, Solumedrol and Ativan, while at the hospital. Based on the data obtained, there were deceptive criteria detected on the polygraph examination. Dr. Hart concludes by stating that Respondent is suffering from a significant anxious depression, and it appears Respondent fell into a pattern of using prescribed narcotic analgesics to ease her emotional and physical pain and came to abuse them. Dr. Hart recommends that Respondent needs psychiatric treatment to address her significant anxiety and depression which is likely the cause for her secondary drug abuse, and possible dependence.

14. The Respondent's conduct described in the preceding Findings of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

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.

16. Respondent's conduct described in Findings of Fact Numbers Seven (7) through Twelve (12) was significantly influenced by Respondent's dependency on chemicals.

17. Respondent'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 301.451-301.455, 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)(10),(12)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(D)&(M), and 22 TEX. ADMIN. CODE §217.12(4),(5),(6)(G),(10)(C).

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 127007, heretofore issued to TINA GAYE SOWELL, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT 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.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, 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, 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 revocation of Respondent's 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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, 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 13th day of December, 2006.

Tina Gaye Sowell

TINA GAYE SOWELL, Respondent

Sworn to and subscribed before me this 13th day of December, 2006

SEAL

JOY CAMPBELL
NOTARY PUBLIC
STATE OF TEXAS
My Commission Expires 05-09-2009

Joy Campbell

Notary Public in and for the State of _____

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 13th day of December, 20 06, by TINA GAYE SOWELL, Vocational Nurse License Number 127007, and said Order is final.

Entered and effective this 19th day of December, 20 06.

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