BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse	§	AGREED
License Number 148600	§	
issued to EDITH ANNIE SAWYERS	§	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 accepted the voluntary surrender of Vocational Nurse License Number 148600, issued to EDITH ANNIE SAWYERS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the 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.

2. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order.

3. Respondent holds a license to practice vocational nursing in the State of Texas, which is in delinquent status.

4. Respondent received a Certificate in Vocational Nursing from Vernon Regional Junior College, Wichita Falls, Texas, on August 12, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on September 19, 1994.

5. Respondent's complete vocational nursing employment history is unknown.

6. On or about December 26, 2007, Respondent plead guilty to the offense of MAN/DEL CS PG 1 >=4G < 200G, (a 2nd Degree Felony offense committed on February 15, 2007) in the 30th District Court, Wichita Falls, Texas, under Cause Number 46345 A. Subsequently, Respondent received deferred adjudication and was sentenced to five (5) years probation, and assessed court costs and a fine.

7. On or about October 23, 2009, Respondent plead guilty to the offense of POSS CS PG 1 < 1G, (a State Jail Felony offense committed on January 15, 2009) in the 78th District Court, Wichita Falls, Texas, under Cause Number 48139-B. Subsequently, Respondent received deferred adjudication and was sentenced to five (5) years probation and court costs.

8. On or about April 23, 2009, Respondent entered into the treatment program at the Cenikor Foundation, Fort Worth, Texas, with the diagnosis of Amphetamine dependence. Additionally, Respondent's completion date in the program is estimated to be in May of 2011. Respondent's condition could affect her ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affect her ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

9. Respondent's last known date of sobriety is April 23, 2009, as indicated in Finding of Fact Number Eight (8).

10. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas.

11. 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.

12. 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)(3),(9)&(10) Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(5),(11)(B)&(13).

4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 148600, heretofore issued to EDITH ANNIE SAWYERS, including revocation of Respondent's 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 Vocational Nurse License Number 148600, heretofore issued to EDITH ANNIE SAWYERS, 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 immediately deliver the wallet-sized license, heretofore issued to EDITH ANNIE SAWYERS, to the office of the Texas Board of Nursing.

2. 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.

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 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.

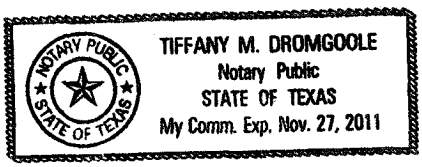
Signed this 2 day of April, 2010.

Edith Annie Sawyers

EDITH ANNIE SAWYERS, Respondent

Sworn to and subscribed before me this 2nd day of April, 2010

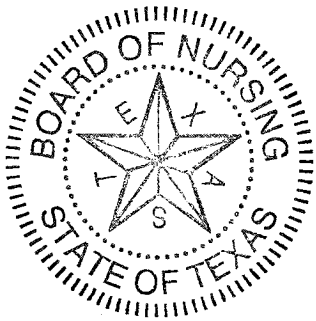
SEAL



Tiffany M Dromgoole

Notary Public in and for the State of TX

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 148600, previously issued to EDITH ANNIE SAWYERS.

Effective this 6th day of April, 2010.

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