



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 P. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse
License Number 168631
issued to CATHERINE MARIE PRESTON

§
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ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 168631, issued to CATHERINE MARIE PRESTON, 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 vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Kilgore College - Longview Center, Longview, Texas, on August 14, 1998, Respondent was licensed to practice vocational nursing in the State of Texas on September 17, 1998.
4. Respondent's vocational nursing employment history includes:

09/98 - 02/99	LVN	Longview Regional Medical Center Longview, Texas
03/99 - 10/02	LVN	Marshall Regional Medical Center Marshall, Texas

Respondent's vocational nursing employment history (continued):

12/02 - 02/07 LVN Care Team Home Health Services
Longview, Texas

03/07 - Present Unknown

5. On or about October 10, 2007, Respondent was issued an Agreed Order by the Texas Board of Nursing 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 October 10, 2007, is attached and incorporated herein, by reference, as part of this Order.
6. On June 30, 2008, Respondent was notified by the Texas Board of Nursing of the following alleged violations of the Nursing Practice Act of the State of Texas:
 - a. On or about May 27, 2008, Respondent produced four diluted specimens and then tested positive for ETG/ETS.
 - b. On or about May 27, 2008, Respondent failed to comply with the Agreed Order issued to her on October 10, 2007, by the Texas Board of Nursing. Non-compliance is the result of her failure to comply with all the requirements of the TPAPN contract in that she produced a specimen for a drug screen which tested positive for ETG/ETS. Stipulation Number Three (3) of the October 10, 2007 Order provides, in pertinent part:

"(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term ."
7. On June 13, 2008, Respondent returned License Number 168631 and submitted a statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of the statement is attached and incorporated, by reference, as part of this Order.
8. 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.
9. 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)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5),(9),(10)(D)&(11)(B).
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.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 168631, heretofore issued to CATHERINE MARIE PRESTON, to practice vocational 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 vocational nursing, use the title of "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.
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 vocational nursing in compact states.

Effective this 28th day of July, 2008.

TEXAS BOARD OF NURSING

By:



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

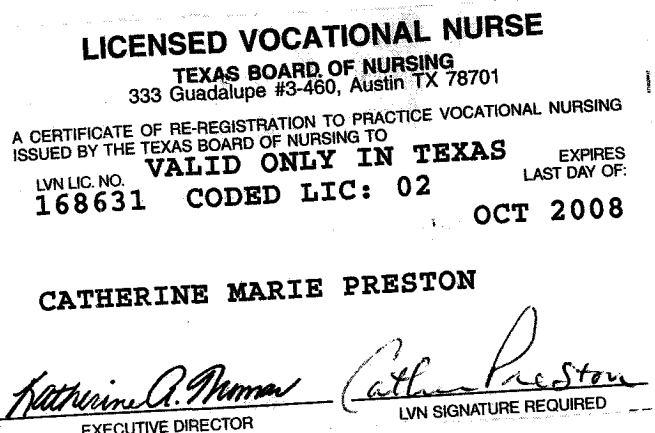
**Catherine M. Preston
PO Box 503
Hallsville, Texas 75650
June 06, 2008**

**Mr. Earl E. Stearns,
Senior Investigations
Enforcement Division**

**William P. Hobby Building
Ste 3-460
333 Guadalupe St.
Austin, Texas 78701**

Dear Mr. Stearns:

**I have made the decision to voluntarily surrender my
license #168631 to you, as I have chosen to leave the
field of nursing. I have notified TPAPN.**



Respectfully,

Catherine M. Preston
Catherine M. Preston