



Board of Nurse Examiners For

Location Address: William P. Hobby Building, Ste. 3-460, 333 C
Phone: (512) 305-7400 Fax: (512) 305-7401 W

Katherine A. Thomas, MN,
Executive Director

August 27, 2007

Certified Mail No. 7007-0220-0004-0749-0408

Return Receipt Requested

Michael Richard Mason
1130 W. Frey St.
Stephenville, Texas 76401

Dear Mr. Mason:

On July 24, 2007, the Board of Nurse Examiners received your license and statement voluntarily surrendering your license to practice professional nursing in Texas. Effective upon the Executive Director's signature, your license was placed in surrendered status in our licensure files.

Although a voluntary surrender is not a statutory sanction listed in Texas Occupations Code, Section 301.453(a) of the Nursing Practice Act, the action will be reported to the data bank of the National Council of State Boards of Nursing and is public information. Dispositions will appear in the Board's quarterly newsletter. The disposition will be forwarded to the National Council of State Boards of Nursing, Inc., and to the Healthcare Integrity and Protection Data Bank (HIPDB).

Should you desire to return to the practice of professional nursing in Texas, you may contact our office to request a reinstatement petition. You will not be eligible for reinstatement until one (1) year has elapsed from the effective date of this Order. Any reinstatement will be subject to the regulations in effect at that time.

Sincerely,


Katherine A. Thomas, MN, RN
Executive Director

KAT/rmc

Enclosures: Order of the Board

0999-H5

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PS Form 3800, August 2006 See Reverse for Instructions

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Executive Director of the Board
Katherine A. Thomas
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.

Members of the Board

- | | | | | |
|---------------------------------|------------------------------------|--|--|---|
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BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse §
License Number 436623 §
issued to MICHAEL RICHARD MASON §

ORDER OF THE BOARD

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 436623, issued to MICHAEL RICHARD MASON, 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's license to practice professional nursing in the State of Texas is in delinquent status.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree in Nursing from State University of New York, Alfred, New York on December 1, 1975. Respondent was licensed to practice professional nursing in the State of Texas in September 13, 1976.
4. Respondent's complete professional nursing employment history is unknown.
5. On June 29, 2007, a letter was sent to Respondent informing him of a formal investigation, including facts or conduct alleged to warrant an adverse licensure action. A copy of the investigatory letter is attached and incorporated by reference as part of this Order.

6. On July 9, 2007, Respondent submitted a letter which states, "The two alleged incidents did in fact happen and I was the perpetrator of them. No words can convey the shame that I feel. I am currently under the care of a psychiatrist and the only thing that I can tell you is that it was a stupid and irresponsible act."
7. On July 16, 2007, Respondent informed the Board of Nurse Examiners for the State of Texas, that he was diagnosed with Major Depression and that he would be unable to continue to work and perform the necessary functions of a registered nurse.
8. On July 18, 2007, Respondent returned Registered Nurse License Number 436623 and submitted a statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of the license and statement is attached and incorporated by reference as part of this Order.
9. 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.
10. 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)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5),(6)(G)&(10)(A)(C).
3. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
4. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
5. 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 Registered Nurse License Number 436623, heretofore issued to MICHAEL RICHARD MASON, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. 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 himself 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 27th day of August, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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



Board of Nurse Examiners For the State of Texas

Location Address: William P. Hobby Building, Ste. 3-460, 333 Guadalupe Street, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 Web: www.bne.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

June 29, 2007

Certified Mail No. 7007-0220-0004-0749-0231
Return Receipt Requested

Michael Richard Mason
1130 W. Frey St.
Stephenville, Texas 76401

Dear Mr. Mason:

Information has been received in this office indicating that you may have violated the Nursing Practice Act of the State of Texas. We are initiating an investigation based on the alleged facts or conduct specified below:

1. On or about March 26, 2007, while employed with Stephenville Nursing Home, Stephenville, Texas, you misappropriated various narcotics belonging to the facility and patients thereof.
2. On or about March 26, 2007, while employed with Stephenville Nursing Home, Stephenville, Texas, failed to follow the policy and procedure for wastage of various narcotics.

You are directed to file a written response to the allegations stated above. You may provide any other information showing compliance with the Nursing Practice Act and Rules and Regulations Relating to Professional and/or Vocational Nurse Education, Licensure and Practice of the Board of Nurse Examiners.

You have thirty (30) days from the date of this letter to respond.

You may be represented by an attorney of your choice, at your own expense.

Members of the Board

Joyce Adams, PhD, RN Houston	Deborah Bell, CLU, ChFC Abilene	George Buchenau, Jr., BSN, RN, MBA Amarillo	Virginia Campbell, BSN, RN, CNOR Mesquite	Blanca Rosa Garcia, PhD, RN Corpus Christi
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PS Form 3800, August 2006

Michael Richard Mason, RN

June 29, 2007

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Please include your current address and telephone number in your response and direct it to the attention of Robert M. Cantú, Investigator. Please be aware that Rule 217.7(b) states that: "A nurse/applicant for licensure shall notify the Board in writing within 10 days of a change of address, providing the new address and his or her license number."

Please be aware that information regarding the statutes and rules cited above, the investigatory and disciplinary process, including 22 Texas Administrative Code §213 Practice and Procedure, Guidelines for Nurses under Investigation, and the time line utilized by Board staff for investigations can be found at the Board's website, www.bne.state.tx.us.

If you have any questions, please contact me at (512) 305-6868.

Sincerely,



Robert M. Cantú
Investigator

/RMC

0998-A25

7/19/07

My name is Michael Mason
1130 W. Frey St.
Stephenville, Tx. 76761

Here is my license to practice
nursing - I voluntarily surrender
it back to you.

M. Mason

REGISTERED NURSE
BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS
333 Guadalupe #3-460, Austin, Texas 78701

A CERTIFICATE OF RE-REGISTRATION TO PRACTICE PROFESSIONAL NURSING
ISSUED BY THE BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS TO
EXPIRES
LAST DAY OF
APR 2007

RN LIC NO
436623

MICHAEL RICHARD MASON

Richard A. Pinner M. Mason RN
EXECUTIVE DIRECTOR RN SIGNATURE REQUIRED



Board of Nurse Examiners For the State of Texas

Location Address: William P. Hobby Building, Ste. 3-460, 333 Guadalupe Street, Austin, Texas 78701
Phone: (512) 305-7400 Fax: (512) 305-7401 Web: www.bne.state.tx.us

Katherine A. Thomas, MN, RN
Executive Director

August 24, 2007

Stephenville Nursing Home
c/o Toni Headstream, RN, DON
2311 West Washington
Stephenville, Texas 76401

RE: Michael Richard Mason, RN

Dear Ms. Headstream:

Effective August 27, 2007, the Board of Nurse Examiners for the State of Texas accepted the voluntary surrender of Mr. Mason's right to practice professional nursing in the State of Texas.

Your endeavor to assist this agency in protecting the public is appreciated.

If you have any questions regarding this matter, please contact me at (512) 305-6868.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Cantu".

Robert Cantu
Investigator

RMC/mmz

06/98-H7

Members of the Board

Joyce Adams, PhD, RN Houston	Deborah Bell, CLU, ChFC Abilene	George Buchenau, Jr., BSN, RN, MBA Amarillo	Virginia Campbell, BSN, RN, CNOR Mesquite	Blanca Rosa Garcia, PhD, RN Corpus Christi
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