



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 A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 164242 § AGREED
issued to DOUGLAS LELAND JONES § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 164242, issued to DOUGLAS LELAND JONES, 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's license to practice vocational nursing in the State of Texas is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Tyler Junior College, Tyler, Texas on August 8, 1997. Respondent was licensed to practice vocational nursing in the State of Texas on September 18, 1997.
5. Respondent's vocational nursing employment history includes:

09/1997 - 03/02

Unknown

Respondent's vocational nursing employment history continued:

04/2002 - 08/2002	LVN	University of Texas Health Center Tyler, Texas
08/2002 - 01/2003	LVN	Smith County Public Health District Tyler, Texas
02/2003 - Unknown	LVN	American Nursing Services Tyler, Texas
08/2003 - Unknown	LVN	Exceptional Home Care Tyler, Texas
06/2003 - 02/2004	LVN	Alpha Staffing Tyler, Texas
07/2004 - 09/2005	LVN	Rusk State Hospital Rusk, Texas
11/2005 - 03/2006	LVN	Clairmont Nursing Home Tyler, Texas
04/2006 - 02/2007	LVN	Park Place Nursing Home Tyler, Texas
04/2007 - 05/2007	LVN	Chandler Nursing Home Chandler, Texas
06/2007 - 10/2007	LVN	Care Staff Austin, Texas
06/2007 - 10/2007	LVN	Maxim Austin, Texas
12/2007 - 01/2008	LVN	Lexington Place Rusk, Texas
03/2008 - 10/2008	LVN	Birmingham Health Care Center Rusk, Texas
11/2008 - Present	Not employed in nursing	

6. On or about August 9, 1996, Respondent plead guilty to "Hinder Secured Creditors > = \$20 < \$500," a Class B Misdemeanor, in the Smith County Court at Law, Tyler, Texas, Cause Number 18856. An adjudication of guilt was deferred, and Respondent was placed on probation for a period of one hundred eighty (180) days and ordered to pay court costs in the amount of one hundred twelve dollars (\$112.00).
7. On or about August 27, 2004, Respondent plead guilty and was convicted of "Driving While Intoxicated," a Class B Misdemeanor (committed on May 2, 2004), in the Smith County Court at Law #2, Tyler, Texas, Cause Number 0028313704. Respondent was sentenced to confinement for a period of one hundred eighty (180) days in the Smith County Jail. The imposition and execution of the confinement was suspended, and Respondent was placed on probation for a period of two (2) years, and assessed a fine and court costs in the total amount of one thousand three hundred fifty-one dollars (\$1,351.00). On or about September 23, 2005, Respondent's probation was revoked, and he was sentenced to confinement for a period of thirty (30) days in the Smith County Jail, and assessed a fine in the amount of nine hundred ninety dollars (\$990.00).
8. On or about March 7, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent incorrectly transcribed a physician's order for Tegretol to the Medication Administration Record (MAR) of Patient Medical Record Number 313782. The physician's order prescribed Tegretol 200mg for two days after which the dosage was to be increased to 400mg. Respondent entered the level of dosage on the MAR as 400mg for the first two days. Respondent's conduct was likely to injure the patient in that the administration of Tegretol in excess frequency and/or dosage of the physician's order could result in the patient suffering from adverse reactions.
9. On or about March 7, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent falsely documented the administration of Librium 10mg on the Medication Administration Record (MAR) of Patient Medical Record Number 07658, in that he did not actually administer the Librium. Respondent's conduct was likely to injure the patients in that subsequent care givers would have inaccurate information on which to base their decisions to further administer patient care.
10. On or about March 11, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent lacked fitness to practice vocational nursing in that he was observed having great difficulty concentrating. Respondent admitted the observations were correct and stated he had difficulty staying focused on his tasks. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his 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 May 20, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent lacked fitness to practice vocational nursing in that he was diagnosed with a

probable bi-polar disorder, and anxiety attacks and agoraphobia. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

12. On or about May 27, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent incorrectly transcribed a physician's order to the Medication Administration Record (MAR) of Patient ID# 183526, in that he failed to specify the medication to be administered. Respondent's conduct was likely to injure the patients in that subsequent care givers would have inaccurate information on which to base their decisions to further administer patient care.
13. On or about May 27, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent incorrectly transcribed a physician's order for Guaifenesin to the Medication Administration Record (MAR) of Patient ID# 007944, in that he failed to specify a date to stop administration of the medication. Respondent's conduct was likely to injure the patients in that subsequent care givers would have inaccurate information on which to base their decisions to further administer patient care.
14. On or about May 27, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent incorrectly transcribed a physician's order for Ativan to the Medication Administration Record (MAR) of Patient Medical Record Number 312467, in that he failed to specify the dosage to be administered. Respondent's conduct was likely to injure the patients in that subsequent care givers would rely on his documentation to further medicate the patient which could result in an overdose.
15. On or about May 31, 2005, while employed with Rusk State Hospital, Rusk, Texas, Respondent lacked fitness to practice vocational nursing in that he admitted to his supervisor he was having difficulty concentrating and focusing. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
16. On or about May 14, 2007, while employed with Chandler Nursing Home, Chandler, Texas, Respondent lacked fitness to practice vocational nursing in that he stated to his supervisor he was being watched and people were after him. Respondent agreed to see a psychologist as part of terms for his continued employment. Respondent failed see the psychologist and was terminated. Respondent's condition could have affected his ability to recognize subtle signs, symptoms or changes in patients' conditions, and could have affected his ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

17. In a letter to the Board dated February 5, 2009, Respondent states that he believes it would be in the best interest of the State and the Board that he voluntarily surrender his license to practice vocational nursing. Specifically, he cites recurring problems with stress, anxiety and low back pain as well as chronic insomnia, chemical dependence, episodes of psychosis and an "unsuccessful" drug overdose of Norco. Respondent adds that if he seeks reinstatement in the future that he will not pursue direct patient care.
18. Respondent, by his signature to this Order, expresses his desire to voluntarily surrender his license to practice nursing in the State of Texas.
19. 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.
20. 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)(10), (12) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §239.11(29)(A)(effective to September 28, 2004), 22 TEX. ADMIN. CODE 217.11(1)(D), (T)(effective after September 28, 2004), and 22 TEX. ADMIN. CODE §217.12(1)(A), (E), (4), (5) & (10)(B)(effective after September 28, 2004).
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 164242, heretofore issued to DOUGLAS LELAND JONES, 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 164242, heretofore issued to DOUGLAS LELAND JONES, 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 DOUGLAS LELAND JONES, 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 himself 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 multistate privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

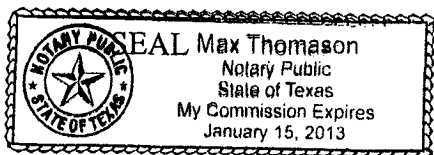
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 1 day of April, 2009.



DOUGLAS LELAND JONES, Respondent

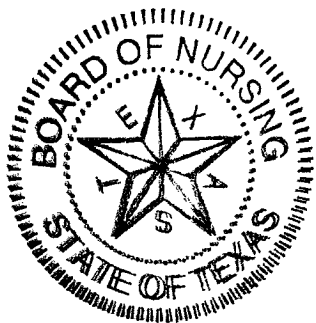
Sworn to and subscribed before me this 1 day of April, 2009.



Max Thomason

Notary Public in and for the State of TEXAS

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 164242, previously issued to DOUGLAS LELAND JONES.



Effective this 7th day of April, 2009.

A handwritten signature in cursive script, appearing to read 'Katherine A. Thomas', is written over a horizontal line.

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