

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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 171730 §
issued to MARK HARRISON BOWDOIN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board considered the matter of MARK HARRISON BOWDOIN, Vocational Nurse License Number 171730, 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 proceedings, notice and hearing, and agreed to the entry of this Order offered on January 7, 2009, 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 representation by counsel, informal proceedings, 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 Diploma in Practical Nursing from the Academy of Health Sciences, Fitzsimmons Army Medical Center, Aurora, Colorado, on August 26, 1993. Respondent was licensed to practice vocational nursing in the State of Texas on April 21, 1999.

5. Respondent's vocational nursing employment history includes:

08/86-03/99	91-C LPN	United States Army Fort Polk, Louisiana
04/99-05/99	Unknown	
06/99-12/01	LVN	Trinity Mother Francis Hospital Tyler, Texas
01/02-05/05	LVN	Eastern Idaho Regional Hospital Idaho Falls, Idaho
05/05-06/06	LPN	Idaho Falls Health and Rehabilitation Idaho Falls, Idaho
06/06-02/07	LPN	Mountain View Hospital Idaho Falls, Idaho
03/07-10/07	Not Employed in Nursing	
11/07-02/08	LVN	Trinity Mother Francis Hospital Tyler, Texas
03/08-04/08	LVN	Renaissance Hospital Terrell, Texas
05/08-Present	Unknown	

6. On or about February 27, 2008, while employed as a Licensed Vocational Nurse with Trinity Mother Frances Hospital, Tyler, Texas, Respondent lacked fitness to practice vocational nursing, in that he was observed to be acting strangely; he was jumpy and seemed anxious. Furthermore, Respondent was seen going to the bathroom several times over a short period of time. A patient's family member went into the bathroom immediately after the Respondent and found an empty syringe with the needle attached on the floor. 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.

7. In response to Finding of Fact Number Six (6), Respondent states that he suffers from kidney stones. On February 18, 2008, he had been to the Emergency Room and had been given a prescription for Vicodin for pain associated with kidney stones.

8. On or about February 27, 2008, while employed as a Licensed Vocational Nurse with Trinity Mother Frances Hospital, Tyler, Texas, Respondent failed to follow policy and procedure in place for the wastage of controlled substances, in that a vial of Dilaudid was found in his pocket. Respondent's conduct was likely to deceive the hospital pharmacy and place them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
9. On or about February 27, 2008, while employed as a Licensed Vocational Nurse with Trinity Mother Frances Hospital, Tyler, Texas, Respondent attempted to misappropriate Dilaudid belonging to the facility and the patients thereof, or failed to take precautions to prevent such misappropriation, in that a vial of Dilaudid was found in his pocket. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
10. In response to Findings of Fact Numbers Eight (8) and Nine (9), Respondent states, "I was taking down a Dilaudid PCA syringe, verified 21 mg was left in the vial and the nurse verified with me this then left the room not watching what I did with the vial, I placed the vial in my pocket as I was wearing my jacket due to being told to go on last break. When I was on break, the pager went off telling me to come back to answer a doctor's question and to finish charting. I went back to the floor I hung my jacket up and finished charting and then clocked out only to find the Dilaudid in my jacket pocket with two security guards stating that I stole the Dilaudid I told them that I had to waste the medication with a witness they told me too late now."
11. On or about March 21, 2008, through April 14, 2008, while employed as a Licensed Vocational Nurse with Renaissance Hospital in Terrell, Texas, Respondent signed out Morphine and Dilaudid for Patients, but failed to document, or accurately document the administration, in the patient's medical records (MAR), as follows:

Date	Patient ID	Physician's Order	24 Hour Controlled Substance Administration Record	PRN Medication Administration Record	Nursing Notes
39527	175772	Morphine Sulfate 2-6mg IV Q1hr PRN	2145 3/21/08 Morphine 10mg/ml inj Amt given-4 Not given-6	2145 / Doesn't specify dose given (range order)	2145-Medicated with 2mg Morphine On Pain Assessment Sheet- 2145-Rates Pain 7/10, Medicated with 2mg Morphine
39542	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	2200 4/5/08 Dilaudid 4mg/ml Amt given-1mg Not given-3mg	2200 / Doesn't specify dose given (range order)	No corresponding note.

39542	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	2300 4/5/08 Dilaudid 4mg/ml Amt given-1mg Not given-3mg	2300 / Doesn't specify dose given (range order)	On Pain Assessment Sheet- 2300-Rates Pain 5/10, Medicated with 1mg Dilaudid
39543	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	0100 4/6/08 Dilaudid 4mg/ml Amt given-1mg Not given-3mg	Illegible entry documented in wrong block with arrow pointing at correct block. Might be this transaction. Doesn't specify dose given (range order)	On Pain Assessment Sheet- 0120-Rates Pain 4/10, Medicated with 2mg Dilaudid
39543	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	0230 4/6/08 Dilaudid 4mg/ml Amt given-1mg Not given-3mg	0230 / Doesn't specify dose given (range order) Documented in wrong block with arrow pointing at correct block.	On Pain Assessment Sheet- 0230-Rates Pain 6/10, Medicated with 1mg Dilaudid
39543	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	Nothing Signed Out	Not Documented	On Pain Assessment Sheet- 0330-Rates Pain 6/10, Medicated with 1mg Dilaudid
39543	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	0400 4/6/08 Dilaudid 4mg/ml Amt given-2mg Not given-2mg	0400 / Doesn't specify dose given (range order) Documented in wrong block with arrow pointing at correct block.	On Pain Assessment Sheet- 0430-Rates Pain 7/10, Medicated with 2mg Dilaudid
39543	186718	Dilaudid 0.5mg to 2mg IV q1-2 hrs PRN	0500 4/6/08 Dilaudid 4mg/ml Amt given-1mg Not given-3mg	Illegible entry documented in wrong block with arrow pointing at correct block. Might be this transaction. Doesn't specify dose given (range order)	On Pain Assessment Sheet- 0530-Rates Pain 6/10, Medicated with 1mg Dilaudid
39543	186718	New Order Dilaudid 0.5mg to 2mg IV q4 hrs PRN	0620 4/6/08 Dilaudid 4mg/ml Amt given-2mg Not given-2mg	Illegible entry documented in wrong block with arrow pointing at correct block. Might be this transaction. Doesn't specify dose given (range order)	On Pain Assessment Sheet- 0630-Rates Pain 6/10, Medicated with 2mg Dilaudid

39543	186718	New Order Dilaudid 0.5mg to 2mg IV q4 hrs PRN	Nothing Signed Out	Not Documented	2215-Backpain present rate 5/10. Gave 1mg Dilaudid. [Post-assessment note at 2330-Pain relieved by meds passed at 2215] On Pain Assessment Sheet- 2215-Rates Pain 5/10, Medicated with 1mg Dilaudid
39543	186718	New Order Dilaudid 0.5mg to 2mg IV q4 hrs PRN	2305 4/6/08 Dilaudid 4mg/ml Amt given-?unintelligible Not given-?unintelligible	Documented administering at 2305 on 4/5/08 (in the wrong column) Doesn't specify dose given (range order)	No corresponding note.
39543	186718	New Order Dilaudid 0.5mg to 2mg IV q4 hrs PRN	Nothing Signed Out	Not Documented	On Pain Assessment Sheet- 0015-Rates Pain 6/10, Medicated with 1mg Dilaudid
39544	186718	New Order Dilaudid 0.5mg to 2mg IV q4 hrs PRN	0210 4/7/08 Dilaudid 4mg/ml Amt given-1mg Not given-3mg	Documented administering at 0210 on 4/5/08 (in the wrong column) Doesn't specify dose given (range order)	On Pain Assessment Sheet- 0210-Rates Pain 5/10, Medicated with 0.5mg Dilaudid
39544	186718	New Order Dilaudid 0.5mg to 2mg IV q4 hrs PRN	0410 4/7/08 Dilaudid 4mg/ml Amt given-0.5mg Not given-3.5mg	Documented administering at 0410 on 4/5/08 (in the wrong column) Doesn't specify dose given (range order)	On Pain Assessment Sheet- 0410-Rates Pain 6/10, Medicated with 0.5mg Dilaudid
39550	186942	IV Morphine 4mg q15minutes chest pain	0600 4/13/08 Morphine 4mg Amt given-1/ Not given-ø	Not Documented	No corresponding note.
39551	186942	Dilaudid 0.5mg to 2mg q2hrs prn (Telephone order written by Respondent @2320 on 4/13/08)	0015 4/14/08 Dilaudid Amt given-2mg Not given-2mg	Documented administering at 0015 on 4/13/08 (in the wrong column) Doesn't specify dose given (range order)	Patient not assigned to Respondent No corresponding note by assigned nurse. A note at 0610 states that the patient slept through the night with no complaint of chest pain

39551	186942	Dilaudid 0.5mg to 2mg q2hrs prn (Telephone order written by Respondent @2320 on 4/13/08)	0300 4/14/08 Dilaudid Amt given-1 Not given-3	Documented administering at 0300 on 4/13/08 (in the wrong column). Doesn't specify dose given (range order)	Patient not assigned to Respondent No corresponding note by assigned nurse. A note at 0610 states that the patient slept through the night with no complaint of chest pain
39551	186942	Dilaudid 0.5mg to 2mg q2hrs prn (Telephone order written by Respondent @2320 on 4/13/08)	0500 4/14/08 Dilaudid Amt given-1 Not given-3	Documented administering 1mg at 0500 on 4/13/08 (in the wrong column)	Patient not assigned to Respondent No corresponding note by assigned nurse. A note at 0610 states that the patient slept through the night with no complaint of chest pain

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.

12. On or about April 13-14, 2008, while employed as a Licensed Vocational Nurse with Renaissance Hospital in Terrell, Texas, Respondent misappropriated or failed to prevent misappropriation of Morphine and Dilaudid belonging to the facility and its patients thereof. Respondent's conduct was likely to defraud the facility and patients of the cost of the medications.
13. In response to Findings of Fact Numbers Eleven (11) and Twelve (12), Respondent states, "I am not guilty of the violations I am being accused of. I worked for the hospital in Terrell TX for only a short while and was fired for giving a patient pain medication that was ordered and I gave the patient each dose after checking with the patient first then after giving, charting this action."
14. On December 10, 2008, Respondent submitted to evaluation by John Lehman, PhD, Clinical Psychologist, Richardson, Texas. Dr. Lehman states that initially, the Respondent said he did not know the rules about wastage of medicine, but later acknowledged to knowing the procedures and just not following them or documenting properly. Respondent continued to deny misappropriating any medications.
Dr. Lehman found no evidence of substance abuse/dependency, although he does admit that the tests used can miss a person abusing prescription drugs. This was supported by the polygraph which found no indication of deception. Although Respondent reiterated no drug use without a prescription, Respondent "knows his ongoing use of Lortab is getting him into trouble. He agreed to stick to over the counter medication unless he has a doctor or ER visit

that documents an acute kidney stone attack."

In addition to his Lortab use for kidney stones, Respondent takes Zoloft for a history of panic attacks. Dr. Lehman states that Respondent has a history of getting overwhelmed easily when called upon to multitask or in crisis situations.

Dr. Lehman concluded that Respondent has used the Lortab for anxiety management in addition to pain management. Finding no evidence of substance abuse, Dr. Lehman recommends:

- Respondent only use narcotics when absolutely necessary
- Random drug screening
- Restricted practice area to where Respondent does not have to provide care in a high stress environment
- Remedial Education
- Supervised practice
- Counseling in addition to current medication for anxiety

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.

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, and 22 TEX. ADMIN. CODE §217.11(1)(A),(B),(C)&(D) and 22 TEX. ADMIN. CODE §217.12(1)(A)&(B),(4),(5),(6)(A),(G)&(H),(10)(C)&(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 171730, heretofore issued to MARK HARRISON BOWDOIN, including revocation of Respondent's license to practice vocational nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the

Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a REPRIMAND WITH STIPULATIONS, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.*, and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure 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, 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.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. 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.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, 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/disciplinaryaction/stipscourses.html>.*

(3) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in medication administration. 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. The didactic portion of this course shall be a minimum of six (6) hours in length. The course shall contain a minimum twenty-four (24) hour clinical component which is to be provided by the same Registered Nurse who provides the didactic portion of this course. The clinical component SHALL focus on tasks of medication administration only. In order for the course to be approved, the course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the five (5) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The course description shall indicate goals and objectives

for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. RESPONDENT SHALL successfully complete both the didactic and clinical portions of the course to satisfy this stipulation. RESPONDENT SHALL CAUSE the instructor 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/disciplinaryaction/stipscourses.html>

(4) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in nursing documentation. 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. The course shall be a minimum of six (6) hours in length of classroom time. In order for the course to be approved, the target audience shall include Nurses. The course shall include content on the following: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. RESPONDENT SHALL cause the instructor to submit a Verification of Course Completion form, provided by the Board, to the Board's office 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/disciplinaryaction/stipscourses.html>

(5) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, RESPONDENT SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Information regarding this workshop may be found at the following web address:*
<http://www.learningext.com/products/generalce/critical/ctabout.asp>

IT IS FURTHER AGREED, SHOULD RESPONDENT PRACTICE AS A 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 STIPULATIONS FOR TWO (2) YEAR(S) OF EMPLOYMENT. THE LENGTH OF THE STIPULATION 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 (LVN) LICENSE WILL NOT APPLY TO THIS STIPULATION PERIOD:

(6) RESPONDENT SHALL notify each present employer in nursing of this Order of the Board and the stipulations 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 present employer within five (5) days of receipt of this Order. RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations 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.

(7) 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.

(8) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional or vocational nurse to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. RESPONDENT SHALL work only on regularly assigned, identified and predetermined unit(s). The RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(9) For the remainder of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse or 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 work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(10) 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 Registered Nurse or Licensed Vocational 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 (3) month period for two (2) years of employment as a nurse.

(11) 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.

(12) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis is the sole method accepted by the Board.

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 stipulation 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 stipulation period.

Any positive result for which the nurse does not have a valid prescription will be regarded as non-compliance with the terms of this Order and may subject the nurse to further disciplinary action by this Board. Failure to report for a drug screen may be considered the same as a positive result and may result in further disciplinary action by this Board.

(13) 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 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 stipulation, or until RESPONDENT is dismissed from therapy.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT's license and RESPONDENT shall be eligible for multistate licensure privileges, if any, to practice nursing in the State of Texas.

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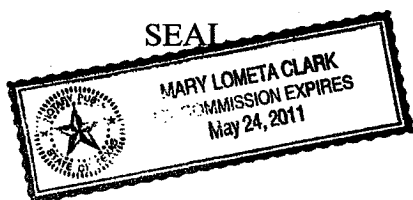
RESPONDENT'S CERTIFICATION

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

Signed this 20 day of Feb, 2009.

Mark Harrison Bowdoin
MARK HARRISON BOWDOIN, Respondent

Sworn to and subscribed before me this 20th day of February, 2009.



Mary Lometa Clark
Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 20th day of February, 2009, by MARK HARRISON BOWDOIN, Vocational Nurse License Number 171730, and said Order is final.

Effective this 23rd day of April, 2009.



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