



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 Registered Nurse §
License Number 699932 §
issued to BARBARA LEE ZERBE §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 699932, issued to BARBARA LEE ZERBE, 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 proceedings, 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 currently in delinquent status.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from North Central Missouri College, Trenton, Missouri, on May 10, 2003. Respondent was licensed to practice professional nursing in the State of Texas in August 18, 2003.
4. Respondent's complete professional nursing employment history is unknown.
5. On or about August 8, 2008, Respondent voluntarily surrendered her license to practice professional nursing in the State of Nevada, in lieu of other disciplinary action. On or about September 18, 2008, said surrender was accepted by the Nevada State Board of Nursing, Reno, Nevada. A copy of the Voluntary Surrender of License In Lieu of Other Disciplinary Action, issued by the Nevada State Board of Nursing, Reno, Nevada, effective September 18, 2008, is attached and incorporated, in reference, as a part of this Order.

6. On April 30, 2009, Respondent returned License Number 699932 and submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas.
7. 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.
8. 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 a violation of Section 301.452(b)(8), Texas Occupations Code.
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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 699932, heretofore issued to BARBARA LEE ZERBE, to practice professional 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 professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself 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 7th day of May, 2009.



TEXAS BOARD OF NURSING

By:



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

ORIGINAL

BEFORE THE NEVADA STATE BOARD OF NURSING

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IN THE MATTER OF
BARBARA ZERBE
LICENSED PROFESSIONAL NURSE
NEVADA LICENSE NO. RN47826
RESPONDENT

VOLUNTARY SURRENDER OF
LICENSE IN LIEU OF OTHER
DISCIPLINARY ACTION

CASE NO. 0420-08C

I, BARBARA ZERBE, wish to voluntarily surrender my Nevada Nursing License. I voluntarily and knowingly admit the following facts:

1. I am licensed as a Licensed Professional Nurse in the State of Nevada and I was licensed at the time of the conduct described herein and am, therefore, subject to the jurisdiction of the Board.
2. I admit that on or about March 2008, while working as a travel nurse in a hospital in Nevada, I diverted Morphine and Dilaudid.
3. I admit that on or about May 2008, while working as a travel nurse for a different agency, at a different hospital in Nevada, I diverted Dilaudid.
4. I admit these factual allegations constitute grounds for disciplinary action pursuant to NRS632.320(5) controlled substances and/or alcohol, and (7) unprofessional conduct, because the conduct violated NAC 632.890(18) diversion of equipment or drugs.
5. I am aware of, understand, and have been advised of the effect of this Voluntary Surrender.
6. I have read this Voluntary Surrender and I fully understand and acknowledge its facts and terms.
7. I am aware that I have certain constitutional rights, including:
 - a. I have the right to hire an attorney to represent me in this proceeding;

- 1 b. I have the right to demand a hearing on the charges against me, and I can require
2 the Board staff to prove the allegations;
3 c. I have the right to cross-examine the witnesses against me;
4 d. I have the right to call witnesses to provide evidence in my own behalf;
5 e. I have other rights accorded to me under Nevada Revised Statutes Chapters 233B,
6 and 632. Also, I have rights accorded to me under Nevada Administrative Code
7 Chapter 632.

8 8. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently
9 waive these rights in return for the Board accepting my voluntary surrender of my
10 Nevada nursing license in lieu of other disciplinary action.

11 9. I understand this Voluntary Surrender is considered a disciplinary action and as such
12 will become part of my permanent record.

13 10. I understand this Voluntary Surrender is considered public information.

14 11. I understand this Voluntary Surrender is considered a disciplinary action and will be
15 reported to any national repository, which records disciplinary action taken against
16 licensees or certificate holders, or any agency or another state, which regulates the
17 practice of nursing.

18 12. I understand this Voluntary Surrender may be used in any subsequent hearings by the
19 Board as evidence against me to establish a pattern of behavior and for the purpose of
20 proving additional acts of misconduct.

21 13. This Voluntary Surrender shall not be construed as excluding or reducing any
22 criminal or civil penalties or sanction or other remedies that may be applicable under
23 federal, state or local laws.

24 14. I understand that this surrender is effective the day it is accepted by the Nevada State
25 Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however I agree
26 to immediately cease and desist from practicing as a Professional Nurse, and I am
27 returning my license with this signed Voluntary Surrender of License In Lieu of
28 Other Disciplinary Action.

1 I, BARBARA ZERBE, by my signature affixed below, agree with the foregoing facts and
2 representations and therefore choose to voluntarily surrender my Nevada nursing license.

3
4 Dated this 8 day of August, 2008

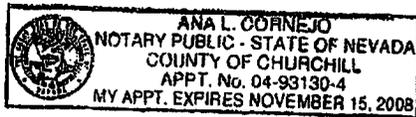
Barbara Zerbe
RESPONDENT
BARBARA ZERBE

6
7 State of Nevada

8 County of Churchill

9 This instrument was acknowledged before me on 8th Aug, 2008, by Barbara
10 Zerbe

Ana L. Cornejo
Notary Public



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16 Accepted and approved this 18 day of Sept., 2008

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19 NEVADA STATE BOARD OF NURSING

20 By: Helen Vos
21 Helen Vos, MS, RN
22 Board President
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Barbara Lee Zerbe

Texas Registered Nurse License #699932

Dear Texas Board of Nursing:

I no longer desire to be licensed as a professional nurse. Accordingly, I voluntarily surrender my licenses to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Barbara Zerbe

Date 4-20-09

Texas RN License Number 699932

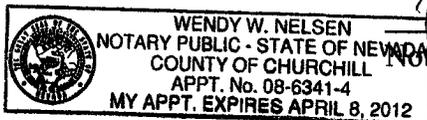
Current Address 125 S. CARSON ST. APT 43
FALLON, NV. 89404

The State of Texas

Before me, the undersigned authority, on this date personally appeared Barbara Zerbe who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 20TH day of April, 2009.

SEAL



Wendy W. Nelsen
Notary Public in and for the State of Nevada
County of Churchill