

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 190869 §
issued to PATRICIA ANN WOODS §

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 190869, issued to PATRICIA ANN WOODS, 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 is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Montgomery College, Conroe, Texas, on July 31, 2003. Respondent was licensed to practice vocational nursing in the State of Texas on October 7, 2003.
4. Respondent's complete vocational nursing employment history is currently unknown.
5. On or about April 19, 2006, Respondent entered a plea of Guilty and was subsequently Convicted of DRIVING WHILE INTOXICATED (a Class B Misdemeanor offense committed on July 5, 2005), filed in the County Court at Law No. 3 of Montgomery County, Conroe, Texas, under Cause No. 05-209712. As a result of the conviction, Respondent was sentenced to confinement in the Montgomery County Jail for a period of one hundred eighty (180) days, with the imposition of the sentence to confinement suspended, and Respondent was placed on probation for a period of one (1) year. Additionally, Respondent was ordered to pay a fine and court costs.



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. Plummer
Executive Director of the Board

On or about March 9, 2007, a Motion to Revoke Community Supervision and Order of Arrest were entered in the County Court at Law No. 3 of Montgomery County, Conroe, Texas, under Cause No. 05-209712. The Motion was entered based on Findings that Respondent had substantially violated the terms and conditions of the probation she had previously been granted under Cause No. 05-209712.

On or about March 29, 2007, a Motion to Revoke Community Supervision was entered in the County Court at Law No. 3 of Montgomery County, Conroe, Texas, under Cause No. 05-209712. The Motion was entered based on Findings that Respondent had substantially violated the terms and conditions of the probation she had previously been granted under Cause No. 05-209712.

On or about May 24, 2007, Respondent's probation, granted under Cause No. 05-209712, was Revoked in the County Court at Law No. 3 of Montgomery County, Conroe, Texas, based on Findings that Respondent had substantially violated the terms and conditions of her probation. As a result of the Revocation, Respondent was sentenced to confinement in the Montgomery County Jail for a period of sixty (60) days. Additionally, Respondent was ordered to pay a fine and court costs.

6. In response to Finding of Fact Number Five (5), Respondent states that on or about July 5, 2005, she had taken Soma, which was prescribed by her physician, for muscle tension. Respondent then drove 1/4 mile to the community mailbox, and was subsequently arrested for Driving While Intoxicated. Respondent states that a blood test was taken, which revealed that her medication level was within normal limits. However, her mental/physical reactions were delayed. Subsequently, she was placed on probation for a period of one (1) year.
7. On or about May 24, 2007, Respondent entered a plea of Guilty/Nolo Contendere and was subsequently Convicted of DRIVING WHILE INTOXICATED - 2nd (a Class A Misdemeanor offense committed on August 7, 2006), filed in the County Court at Law No. 3 of Montgomery County, Conroe, Texas, under Cause No. 06-221947. As a result of the conviction, Respondent was sentenced to confinement in the Montgomery County Jail for a period of sixty (60) days. Additionally, Respondent was ordered to pay court costs.
8. In Response to Finding of Fact Number Seven (7), Respondent states that on or about August 7, 2006, she had taken two (2) tablets of Klonopin (1mg), for anxiety, because she had to drive forty (40) miles to a court ordered Victim Impact Panel. Respondent states that she was asked to leave the meeting because she was falling asleep. Respondent states that she pulled off the highway to rest and was subsequently arrested for Driving While Intoxicated - 2nd. Respondent states that she has seen a drug counselor and her psychiatrist has weaned her off tranquilizers. Respondent states that she attends Alcoholics Anonymous/Narcotics Anonymous frequently and has a very good support system in place.

9. Formal Charges were filed on January 20, 2009. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
10. Formal Charges were mailed to Respondent on January 22, 2009.
11. On January 29, 2009, Respondent returned License Number 190869 and submitted a notarized 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.
12. 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.

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(13).
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 Vocational Nurse License Number 190869, heretofore issued to PATRICIA ANN WOODS, 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 10 day of February, 2009.



TEXAS BOARD OF NURSING

By:



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