

Respondent's complete vocational nursing employment history continued:

1994	LVN	Texoma Medical Center Denison, Texas
1994-2000	LVN	Intermed Staffing Inc. Dallas, Texas
1995-1997	LVN	Austin Ear, Nose, and Throat Clinic Austin, Texas
1998-1999	Review Nurse/Auditor	Sykes HealthPlan Services Richardson, Texas
1999-2000	ER Admitting	Healthcare Financial Staffing Dallas, Texas
2003	Treatment LVN	IHS-Forest Lane Dallas, Texas
10/03-Present	LVN	Maxim Healthcare Services Dallas, Texas

6. At the time of the incident in Finding of Fact Number Seven (7), Respondent was employed as a vocational nurse with Maxim Healthcare Services, Dallas, Texas, and had been in this position for approximately three (3) years and one (1) month.
7. On or about November 25, 2006, while employed with Maxim Healthcare, Dallas, Texas, Respondent served alcohol to patient No.524851046 who was under the age of twenty-one (21). Respondent's conduct was illegal and was likely to have endangered the patients life, health and safety.
8. Respondent states that the patient's mother had given the nurses authorization to serve alcohol to her son and had provided the alcohol for the client. Respondent states she was on duty and did serve a minute amount of alcohol to this patient on November 25, 2006. The patient had been served alcohol from other parties as well during the holiday season.

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)(1)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(4).
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 140654, heretofore issued to BETTY LUCILLE WILBURN, 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 Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Vocational Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *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 vocational 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 State of Texas and the Board of Nursing in the party state where Respondent wishes to work.

IT IS FURTHER AGREED that:

(1) RESPONDENT SHALL deliver the wallet-sized license issued to BETTY LUCILLE WILBURN, to the office of the Board of Nurse Examiners within ten (10) days from the

date of ratification of this Order for appropriate notation.

(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 Chemical Dependency, 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.bne.state.tx.us/about/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, RESPONDENT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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 violation 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.

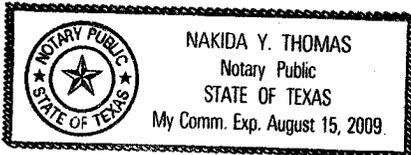
Signed this 10 day of September, 2007.

Betty L. Wilburn
BETTY LUCILLE WILBURN, Respondent

Sworn to and subscribed before me this 10th day of Sept, 2007.

SEAL

[Signature]
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Order that was signed on the 10th day of September, 2007, by BETTY LUCILLE WILBURN, Vocational Nurse License Number 140654, and said Order is final.

Effective this 12th day of September, 2007.



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