

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse License Number 611293 §
issued to REBECCA STRAIN NEWMAN §

ORDER OF THE BOARD

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter refer to as the Board, accepted the voluntary surrender of Registered Nurse License Number 611293, issued to REBECCA STRAIN NEWMAN, 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 conference, 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 professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on October 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on November 22, 1994.
4. Respondent's complete professional nursing employment history is unknown.
5. On June 13, 2007, the Board of Nurse Examiners for the State of Texas notified Respondent of the following allegations:
 - 5.1 On dates unknown to this agency, while employed as a Registered Nurse with Baylor Healthcare System, Dallas, Texas, Respondent misappropriated prescription forms for narcotics from discharged patients.



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.
Rebecca Strain Newman
Executive Director of the Board

- 5.2 On or about May 10, 2006, while employed as a Registered Nurse with Baylor Healthcare System, Dallas, Texas, Respondent called in an unauthorized prescription for Norco and Vicodin at Walgreen's Pharmacy, Dallas, Texas, through the use of a fraudulent prescription bearing the name of Shaad Bidiwala, M.D., and the Drug Enforcement Agency (DEA) number assigned to Dr. Bidiwala. Additionally, Respondent admitted that she attempted to obtain Norco and Vicodin from the Walgreen's Pharmacy.
- 5.3 Additionally, there have been several recent Vicodin prescriptions filled at Walgreen's, Dallas, Texas, for Respondent under Dr. Bidiwala's name.
- 5.4 On or about May 16, 2007, while employed as a Registered Nurse with Baylor Healthcare System, Dallas, Texas, Respondent engaged in the intemperate use of Propoxyphene in that Respondent produced a specimen for a drug screen which resulted positive for Propoxyphene.
6. On June 4, 2007, the Board of Nurse Examiners for the State of Texas received a notarized statement from Respondent stating her desire to voluntarily surrender her right to practice professional nursing in Texas. A copy of this statement is attached and incorporated by reference as part of this Order.
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 violation of Section 301.452(b)(9)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(G)&(H),(10)(A),(D)&(E)&(11)(B).

4. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
5. 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.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 611293, heretofore issued to REBECCA STRAIN NEWMAN, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to REBECCA STRAIN NEWMAN, to the office of the Board of Nurse Examiners.
2. 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.
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.

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CONTINUED ON NEXT PAGE.

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 27th day of June, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

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

May 29, 2007

Diane Burell
Board of Nurse Examiners
333 Guadalupe #3-460
Austin, TX 78701

Dear Ms. Burell:

I, Rebecca Strain Newman, voluntarily surrender my nursing license. I no longer wish to be a registered nurse in Texas, or any other state. My license number is 611293. Thank you for your assistance.

Sincerely,

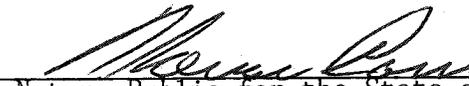
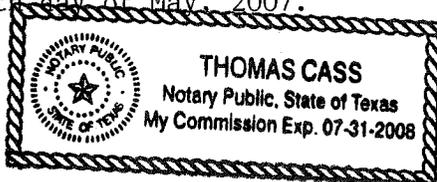


Rebecca Strain Newman

STATE OF TEXAS
COUNTY OF SAN PATRICIO

Before me, Thomas Cass, Notary Public in and for The State of Texas, on this day personally appeared Rebecca Strain Newman, known to me to be the person whose name is subscribed to this letter and acknowledged to me that she signed it for the purpose herein stated.

Subscribed to and sworn to before me, the undersigned authority, on this 29th day of May, 2007.



Notary Public for the State of Texas.