



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 Registered Nurse License Number 589149 § AGREED
and Vocational Nurse License Number 134662 §
issued to RICKY GENE HUCKABEE § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Bo considered the matter of RICKY GENE HUCKABEE, Registered Nurse License Number 589149 and Vocational Nurse License Number 134662, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Article 4525(b)(2)&(9), Revised Civil Statutes of Texas, as amended and Article 4528c, sec.10(a)(2)&(9), Revised Civil Statues of Texas, as amended. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on March 21, 2008, by Katherine A. Thomas, MN, RN, Executive Director.

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 conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas. Respondent's license to practice vocational nursing in the State of Texas is currently in "delinquent" status.
4. Respondent received a Certificate in Vocational Nursing from Angelina College Nursing Program, Lufkin, Texas, on July 11, 1991, and received an Associate Degree in Nursing from Angelina College, Lufkin, Texas, on July 15, 1992. Respondent was licensed to practice vocational nursing in the State of Texas, on December 3, 1991, and was licensed to practice professional nursing in the State of Texas on March 23, 1993.

5. Respondent's complete nursing employment history is unknown.
6. On or about November 22, 1977, Respondent was arrested for Larceny, a Misdemeanor by the Lufkin Police Department.

On or about February 19, 2008, Wendi Turner, Deputy Court Clerk, submitted a letter on the Respondent's behalf, stating " This courts documentation/records only go back to the year 1988 on closed out or paid charge. Therefore, it is apparent that Mr. Huckabee has complied with the court's requirements of paying all fines and court costs. Unfortunately, there is no way to tell what the actual disposition of this case was."

7. On or about November 22, 1992, Respondent was arrested for Driving Under the Influence - Liquor, by the Angelina County Sheriff's Office.

On or about January 5, 1993, Respondent pled "Guilty" and was "Convicted" of Driving while Intoxicated -1st offense, a Class B Misdemeanor, in the County Court at Law Number One, Angelina County, Texas, under Cause Number 1638-92. As a result of the conviction, Respondent was sentenced to two (2) years probation and ordered to pay a fine.

On or about January 10, 1995, Respondent fulfilled his terms of probation and was discharged.

8. On or about December 24, 1994, Respondent was arrested for Driving While Intoxicated - 2nd offense, a Class A Misdemeanor.

On or about February 13, 1995, Respondent entered a plea of "Nolo Contendere" and was adjudged guilty by the court and was "convicted" of Driving While Intoxicated-2nd, a Class A Misdemeanor, in the County Court at Law Number One, Angelina County, Texas, under Cause Number 1755-94. As a result of the conviction, Respondent was sentenced to serve one hundred eighty (180) days in the Angelina County Jail, with the imposition of the jail sentence suspended and Respondent was placed on two (2) years probation and ordered to pay a fine.

On or about February 15, 2008, Michael Carroll, Community Supervision Officer, Anglenia County, submitted a written stating both terms of probation for cause numbers 1638-92 and 1755-94 were fulfilled.

9. On or about June 18, 1997, Respondent entered a plea of "Guilty" to Violation of Health and Safety Code, a Second Degree Felony, in the 159/217th District Court, Angelina County, Texas, under Cause Number 19,443. As a result of the plea, the proceedings against Respondent were Deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of five(5) years. Additionally, Respondent was ordered to

pay a \$1,000.00 fine and \$246.00 in court costs.

On or about February 20, 2008, Respondent was dismissed and discharged from Community Supervision and Deferment of Adjudication of Guilt.

10. Board records indicate the convictions outlined in Findings of Fact Number Seven and Eight were never disclosed to the Board.

11. Respondent submitted a written statement regarding the above allegations, which state as follows:

- Regarding Finding of Fact Number Six, Respondent states he was in a record and tape store and attempted to shoplift a cassette tape. He was confronted with this and was arrested. He was ordered to pay a fine and court costs.
- Regarding Finding of Fact Number Seven, Respondent states he was out late drinking at a bar, on the way home he ran through a red light. He was stopped and submitted to a sobriety test, which he failed.
- Regarding Finding of Fact Number Eight, Respondent states he was out late at night drinking at some bars, he ran into a ditch on his way home. He was unable to get his truck out of the ditch. The police arrived and he was arrested for DWI.
- Regarding Finding of Fact Number Nine, Respondent states he doesn't know why he did what he did, only that he remembers stealing narcotics from the hospital and injecting them. He began stealing narcotics in small doses, usually the overfill and wasted amounts of these narcotics, which he would inject later. Overtime the dosages would increase. Not long in his addiction he realized all he wanted was Demerol. Any chance he could find to get Demerol he would. This went on for approximately three to four months before he was confronted. His behavior changed and he was making entry errors and not focusing on his job. He was confronted by his DON regarding the missing narcotics. At that point his main focus was getting the drugs and having the drugs and figuring out ways to get the drugs. When he was questioned he said "He was glad it was over" and he admitted to the allegations. At her request he was referred to a Psychiatrist and given the number to TPAPN.

On or about September 21, 2006, Respondent successfully completed the program and was approved to be a TPAPN Advocate.

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 Article 4525(b)(2)&(9), TEX. REV. CIV. STAT. ANN., and Article 4528c, sec.10(a)(2)&(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §217.13(17) and §239.11(8)&(28)(M).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 589149 and Vocational Nurse License Number 134662, heretofore issued to RICKY GENE HUCKABEE, including revocation of Respondent's license to practice professional and 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 REMEDIAL EDUCATION WITH A FINE, 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 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 professional and vocational nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's licenses are 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 RICKY GENE HUCKABEE to the office of the Texas Board of Nursing within ten (10) days of 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>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of Seven Hundred

Fifty Dollars (\$750.00). 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.

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 professional and vocational nursing in the State of Texas.

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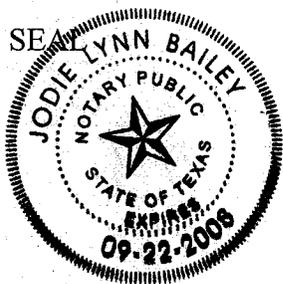
RESPONDENT'S CERTIFICATION

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 when this Order becomes final and the terms of this Order become effective, 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 licenses to practice professional and vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of April, 2008.

Ricky Gene Huckabee
RICKY GENE HUCKABEE, Respondent

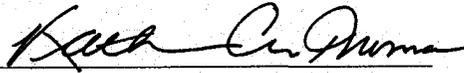
Sworn to and subscribed before me this 15 day of April, 2008.



Jodie L. Bailey
Notary Public in and for the State of TX

WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Texas Board of Nursing, does hereby ratify and adopt the Agreed Order that was signed on the 15th day of April, 2008, by RICKY GENE HUCKABEE, Registered Nurse License Number 589149 and Vocational Nurse License Number 134662, and said Order is final.

Effective this 23rd day of April, 2008.



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