

BEFORE THE TEXAS BOARD OF NURSING



In the Matter of Vocational Nurse License Number 170443
issued to STACY DWAN HENDRIKS

§ AGREED
§ ORDER

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 P. Thomas
Executive Director 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 170443, issued to STACY DWAN HENDRIKS, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to 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, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice professional nursing in the State of Texas is in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from Weatherford College, Weatherford, Texas, on August 14, 1998. Respondent was licensed to practice vocational nursing in the State of Texas on December 16, 1998.
5. Respondent's employment history is unknown.
6. On or about July 30, 2007, Respondent pled guilty to the offense of Theft of Property >=\$50 <\$500, a Class B misdemeanor, in the County Criminal Court Number Seven, Tarrant County, Texas, Cause #1064944. Proceedings were deferred without adjudication and

Respondent was placed on twelve (12) months probation and ordered to pay a fine in the amount of \$150, and court costs in the amount of \$237.

7. On or about July 30, 2007, Respondent pled guilty to the offense of Burglary of a Building, a State Jail Felony, in the 371st District Court, Tarrant County, Texas, Cause #1075859. Proceedings were deferred without adjudication and Respondent was placed on sixty (60) months probation and ordered to pay a fine in the amount of \$500 and court costs in the amount of \$266. Respondent was also ordered to attend and participate satisfactorily in the Intensive Day Treatment Program Aftercare Program and to attend Alcoholics Anonymous and/or Narcotic Anonymous meetings at least two times per week for the duration of her probation.
8. On or about January 25, 2008, Respondent submitted a written statement related to Findings of Fact numbers six (6) and seven (7), in which she stated that her criminal activities were due to opiate dependency. She states that "I was placed in an intensive day treatment program for 90 days. I started the program October 23, 2007, and completed it on January 18, 2008. This program saved my life. They taught me about my addiction and gave me tools to use to avoid high-risk situations and criminal conduct. I am separating from my husband, who is currently in jail. I currently reside with my father. I recently obtained a job working with the elderly as an uncertified nursing aide. I have told my director of nurses my current situation and about my pending LVN license renewal. I still attend cognitive skills class once a week. I am on urine analysis once a week for 3 months then every 2 weeks or at random thereafter."
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender his/her license to practice nursing in the State of Texas.
10. 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.
11. 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 violations of Section 301.452(b)(3)(9)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 170443, heretofore issued to STACY DWAN HENDRIKS, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational License Number 170443, heretofore issued to STACY DWAN HENDRIKS, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing.

In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to STACY DWAN HENDRIKS, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice vocational nursing, use the title "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.
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.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

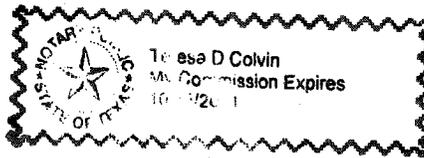
Signed this 21st day of April, 2008

Stacy Dwan Hendriks
STACY DWAN HENDRIKS, Respondent

Sworn to and subscribed before me this 21st day of April, 2008.

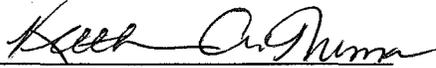
SEAL

Teresa D. Colvin
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Texas Board of Nursing does hereby accept the voluntary surrender of Vocational Nurse License Number 170443, previously issued to STACY DWAN HENDRIKS.

Effective this 28th day of April, 2008.



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