



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 BOARD OF NURSING
FOR THE STATE OF TEXAS

In the Matter of License Number 126781 § AGREED
issued to FRED A REBECCA TIPTON § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of FRED A REBECCA TIPTON, Vocational Nurse License Number 126781, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 Tex. Admin Code §217.12 (6)(I)&(11)(B). 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 vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from South Plains College, Lubbock, Texas, in August 1989. Respondent was licensed to practice vocational nursing in the State of Texas on December 7, 1989.
5. Respondent's vocational nursing employment history is unknown.

6. In September 1999, Respondent submitted a License Renewal Form to the Texas Board of Nursing which she provided false, deceptive, and/or misleading information, in that she answered "No" to the following question:

"Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

7. Respondent was requested to comply with a random criminal background audit check, and the results revealed the following non disclosed criminal history, to wit:

On March 11, 1998, Respondent was convicted of the class C misdemeanor offense of Issuance of a Bad Check in the County Court at Law No. 1 of Williamson County, Texas. Respondent was assessed a fine and court costs in the amount of two hundred dollars (\$200.00).

8. On or about July 31, 2007, Respondent submitted a written statement related to Finding of Fact number Seven (7) in which she stated that in 1995, she wrote a check believing the money was in her account. Later she discovered that her husband had cleaned out their account, but by this time it was too late. Respondent further stated that the reason she did not disclose this incident to the Board was because she had truly forgotten about it. She aims to act as a professional and would honestly try not to ever mislead or misrepresent herself.

9. On or about September 16, 2004, Respondent submitted a Texas Online Renewal Document for Licensed Vocational Nurses to the Texas Board of Nursing which she provided false, deceptive, and/or misleading information, in that she answered "No" to the following question:

"Have you been convicted, adjudged guilty by a court, pled guilty, no contest or nolo contendere to any crime in any state, territory or country, whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests? This includes expunged offenses and deferred adjudication with or without prejudice of guilt."

10. Respondent was requested to comply with a random criminal background audit check, and the results revealed the following non disclosed criminal history, to wit:

On September 16, 2003, Respondent was arrested for the felony offense of Fraud - Possession of a Controlled Substance {Prescription} by the Austin Police Department. On November 29, 2004, Respondent was charged with the reduced class A misdemeanor offense of Possession of a Controlled Substance in the 390th Criminal District Court of Travis County, Texas. Proceedings were deferred without adjudication of guilt and Respondent was placed on one (1) year probation.

11. On or about July 31, 2007, Respondent submitted a written statement related to Finding of Fact number Ten (10) in which she stated that in May 2003, she had surgery on her right achilles tendon and foot due to bone spurs. After surgery she was given a prescription for Stadol Nasal Spray for pain. When the doctor decided she no longer needed the Stadol and

should be able to control her pain with Ibuprofen or Tylenol, Respondent did not feel she was getting relief. This is when she used very poor judgment and attempted to call in a fraudulent prescription. After this incident Respondent turned herself over to TPAPN, signing a two (2) year contract with them. On September 28, 2005, she successfully completed the program. Respondent further stated the reason she did not disclose this incident to the Board was because she thought since she had completed two (2) years in TPAPN she did not have to disclose it to the Board. Her understanding of doing TPAPN was to keep this from going to the Board and possibly losing her license. After going back and reading the question she sees that she should have disclosed the incident no matter what.

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)(2)&(10), Texas Occupations Code, and 22 Tex. Admin. Code §217.12(6)(I)&(11)(B).
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 126781, heretofore issued to FRED A REBECCA TIPTON, 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 Texas Board of Nursing, that RESPONDENT SHALL receive the sanction of a Fine with 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 the State of Texas.

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, 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>*

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500.00). 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 vocational nursing in the State of Texas.

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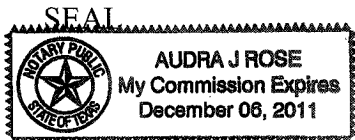
RESPONDENT'S CERTIFICATION

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 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 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 license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 3 day of June, 2008.

Freda Rebecca Tipton
FREDA REBECCA TIPTON, Respondent

Sworn to and subscribed before me this 3 day of June, 2008.



Audra Rose

Notary Public in and for the State of Texas

Signed this 3 day of June, 2008.

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 3rd day of June, 2008, by FREDA REBECCA TIPTON, Vocational Nurse License Number 126781, and said Order is final.

Effective this 11th day of June, 2008.



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

BOARD OF NURSING FOR THE STATE OF TEXAS
333 GUADALUPE STREET, SUITE 3-460
AUSTIN, TEXAS 78701

Board Order Billing Form

PLEASE SUBMIT THIS FORM WITH REMITTANCE OF FINE

Name _____
(Please Print) First Middle Last

Maiden Name

License Number

Social Security Number

I have enclosed a **cashier's check** or **U.S. Money Order** payable to the Texas Board of Nurse
Examiners in the amount of \$ _____. (Please initial)

DO NOT WRITE BELOW THIS LINE

Amount of Remittance _____

Audit Number _____

Date Received _____

Accepted By _____

BOARD OF NURSE EXAMINERS FOR THE STATE OF TEXAS
333 GUADALUPE STREET, SUITE 3-460
AUSTIN, TEXAS 78701
(512) 305-6827

NOTICE

Be advised that the following information relates to the monitoring of your compliance with the enclosed Board Order:

Read your Board Order carefully. **Return your wallet-sized license to this office immediately so that it may receive the appropriate coding.** A new, stipulated license will be mailed to you within 7-10 working days of the Board's receipt of your current license.

All required courses must be completed within one (1) year from the date of the order regardless if your license is in delinquent status or current.

You are responsible for ensuring the appropriate forms are mailed to the Board's office within the correct time frame. You are also responsible for ensuring that the appropriate personnel at your place of employment have been notified of the Order and that you have provided your employer with a copy of the Order.

A Notification of Employment form is enclosed, for you to give to your employer for submission to this office if you are required to cause your employer to submit periodic reports. This form is only to be used by employers who employ you as a registered nurse in the State of Texas.

1. If you are currently employed as a registered/vocational nurse, you are required to cause your current employer to submit the Notification of Employment form to our office within ten (10) days of your receipt of the enclosed Board Order.
2. If you are not currently employed as a registered/vocational nurse, you will be required to cause your potential employer to submit the Notification of Employment form to our office within five (5) days of employment as a registered nurse.
3. If you change employers during the term of your Order, you will be required to cause your new employer to submit a new Notification of Employment form to this office within five (5) days of your new employment as a registered nurse.

Once this office receives the completed Notification of Employment form, you will be sent your first set of report forms to be used to document your compliance with the stipulations of your Board Order. You will also be informed of the date on which your first set of reports will be due in the Board's office.

This office works on due dates of either the 15th or the last day of any given month. **All reports will only be accepted if received in this office within two weeks prior to, or two weeks immediately following the due date. Also, please be aware that all reports, except for Support Group attendance, must be submitted directly from the individual completing the report.**

You will be credited only for reports verifying your compliance with your stipulations during periods of time in which you are employed as a registered/vocational nurse. Quarterly reports will only be accepted if you have been working with the same employer for a full three (3) months. Employment for one (1) or two (2) months will not count towards your monitoring period.

The effective date of the Order is the date the Order was ratified by the Board. That date may be found on the Executive Director's signature page contained in your Order.

You will be responsible for compliance with the Order of the Board without further notice from our office. **Be aware that any failure to comply with the terms of the Order may result in another investigation and possible further disciplinary action being taken against your license (including possible revocation of your license) due to your non-compliance.** Review the enclosed Board Order carefully and if you have any questions, contact Diane E. Burell, Investigator, at (512) 305-6827 if you are a registered nurse or if you are a vocational nurse, contact Carolyn Hudson, Probation Monitor, at (512) 305-7667.