BEFORE THE TEXAS BOARD OF NURSING

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TEXAS BOARD OF NURSING

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.

Executive Director of the Board

In the Matter of Vocational Nurse	§
License Number 172272	§
issued to LACEY LENE CASSITY	§

ORDER 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 172272, issued to LACEY LENE CASSITY, 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 holds a license to practice vocational nursing in the State of Texas which is currently in delinquent status.

2. Respondent waived representation by counsel, informal conference, notice and hearing.

3. Respondent received a Certificate in Vocational Nursing from Frank Phillips College, Borger, Texas, on May 17, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on July 9, 1999.

4. Respondent's complete vocational nursing employment history is unknown.

5. On April 24, 2007, the Board initiated an investigation into allegations that on or about February 12, 2007, while employed with Golden Plains Medical Plaza, Borger, Texas, Respondent lacked fitness to practice vocational nursing in the State of Texas in that she exhibited impaired behavior while on duty including, but not limited to: slurred speech, sedation, and the inability to perform basic nursing functions.

6. On April 24, 2007, the Board initiated an investigation into allegations that on or about February 12, 2007, while employed with Golden Plains Medical Plaza, Borger, Texas, Respondent engaged in the intemperate use of Phenergan, Amitriptyline, Methadone, and Butalbital in that she produced a specimen for a urine drug screen which resulted positive for Phenergan, Amitriptyline, Methadone, and Butalbital.

7. On June 10, 2008, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in the State of Texas.

8. 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.

9. 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)(9),(10)&(12), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(5),(10)(A)(D)&(11)(B).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

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

6. 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.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 172272, heretofore issued to LACEY LENE CASSITY, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to LACEY LENE CASSITY, to the office of the Texas Board of Nursing.

2. RESPONDENT SHALL NOT practice vocational nursing, use the title of "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 licensure privilege, if any, to practice vocational nursing in compact states.

Effective this 10th day of June, 2008.

TEXAS BOARD OF NURSING

By: Katherine A. Thomas

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

LACEY LENE CASSITY
PO Box 55
Stinnett, Texas 79083
Texas LVN License #172272

April 18, 2008

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license to practice in Texas. I waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Lacey Cassity

Date 5-21-08

Texas LVN License Number 172272

The State of Texas

Before me, the undersigned authority, on this date personally appeared LACEY LENE CASSITY who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 21st day of May, 2008.

Robin Stroud

Notary Public in and for the State of TEXAS

SEAL
ROBIN STROUD
NOTARY PUBLIC,
STATE OF TEXAS
My Commission Expires 01-22-2010