



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.
Ana M. Delgado
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse License Number 141802 § AGREED
issued to REBECCA LYNN PHILLIPS § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 141802, issued to REBECCA LYNN PHILLIPS, 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 is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Victoria College, Victoria, Texas, on August 18, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on May 25, 1993.
5. Respondent's vocational nursing employment history includes:

10/1992-06/1993

LVN

Ana M. Delgado, M.D.
Victoria, Texas

Respondent's vocational nursing employment history continued:

06/1993-05/1994	LVN	Yoakum Community Hospital Yoakum, Texas
05/1994-07/1997	LVN	TDCJ Stevenson Unit Cuero, Texas
08/1997-05/2000	LVN	Healthforce Staffing Agency Victoria, Texas
05/2000-present	LVN	Gonzalez Healthcare System Gonzalez, Texas

6. At the time of the initial incident, Respondent was employed as a Licensed Vocational Nurse in the Emergency Room with Gonzalez Healthcare System, Gonzalez, Texas, and had been in this position for six (6) years and nine (9) months.
7. On or about February 10, 2007, while employed as a License Vocational Nurse with Gonzales Healthcare Systems, Gonzales, Texas, Respondent attempted to pass a fraudulent oral or telephonically communicated prescription, for Norco 10/325 eighty (80) tablets with three (3) refills for her own personal use from the Walgreen's Pharmacy, Victoria, Texas, for her own personal use, using the name and Drug Enforcement Agency Number assigned to Mohammad Hussain, M.D. Respondent's conduct was deceiving to Walgreen's Pharmacy.
8. On or about April 15, 2008, Respondent entered a plea of guilty to the offense of Possession Of Controlled Substance By Fraud, (a Third Degree Felony offense committed on February 11, 2007), in the 24th Judicial District Court, Victoria County, Texas, under Case Number 08-2-23,572-A. As a result of the guilty plea, Respondent's adjudication of guilt was deferred, and she was placed on community supervision for a period of five (5) years. Additionally, she was ordered to pay a fine, court costs, perform community service, and participate in a drug/alcohol treatment program.
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender 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) & (10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(A)(10)(E)(13).
4. The evidence received is sufficient cause pursuant to Section 301.453(a), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 141802, heretofore issued to REBECCA LYNN PHILLIPS, 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 141802, heretofore issued to REBECCA LYNN PHILLIPS, 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 REBECCA LYNN PHILLIPS, 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.
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 multi-state privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

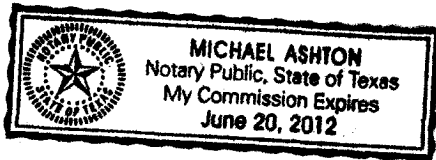
I understand that I have the right to legal counsel prior to signing this Agreed Order. I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and 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 22 day of August, 2008.

Rebecca Lynn Phillips
REBECCA LYNN PHILLIPS, Respondent

Sworn to and subscribed before me this 22 day of August, 2008.

SEAL



Michael Ashton
Notary Public in and for the State of Texas

Approved as to form and substance.

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 141802, previously issued to REBECCA LYNN PHILLIPS.

Effective this 27th day of August, 2008.

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