



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 Vocational Nurse § REINSTATEMENT
License Number 173567 §
issued to BRENDA CHANCE § AGREED ORDER

On this day came to be considered by the Texas Board of Nursing, hereinafter referred to as the Board, the Petition for Reinstatement of Vocational Nurse License Number 173567, held by BRENDA CHANCE, hereinafter referred to as Petitioner.

An informal conference was held on October 29, 2013, at the office of the Texas Board of Nursing, in accordance with Section 301.464, Texas Occupations Code.

Petitioner appeared in person. Petitioner was notified of her right to be represented by legal counsel and elected to waive representation by counsel. In attendance were Katherine A. Thomas, MN, RN, FAAN, Executive Director; Jena Abel, Assistant General Counsel; Gary Siebert, RN, Investigator; and Carolyn Hudson, Investigator.

FINDINGS OF FACT

1. Prior to institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Petitioner and Petitioner was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Petitioner waived representation by counsel, notice and hearing, and consented to the entry of this Order.
3. Petitioner received a Certificate in Vocational Nursing from South Plains College, Plainview, Texas, on August 12, 1999. Petitioner was originally licensed to practice vocational nursing in the State of Texas on October 5, 1999.
4. Petitioner's vocational nursing employment history includes:

08/99 - 08/04	GVN/LVN	Southwest Regional Medical Complex Lubbock, Texas
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Petitioner's vocational nursing employment history continued:

09/04 - 02/05	LVN	Dialysis Center of Lubbock Lubbock, Texas
03/05 - 02/07	LVN	Carillon Inc. Lubbock, Texas
03/07 - Present	Not employed in nursing	

5. On November 19, 2007, the Board accepted the voluntary surrender of Petitioner's license to practice vocational nursing in the State of Texas. A copy of the November 19, 2007, Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
6. On or about April 10, 2013, Petitioner submitted a Petition for Reinstatement of License to practice vocational nursing in the State of Texas.
7. Petitioner presented the following in support of her petition:
 - 7.1. Letter of support, dated March 27, 2013, written by William J. Bryant, Chief Executive Officer, Kindred Hospital of Chattanooga, Chattanooga, Tennessee, states that Petitioner was an employee of Southwest Regional Medical Complex, and she excelled in her areas of responsibility and demonstrated critical thinking in application of the nursing process when caring for her patients. Mr. Bryant states that Petitioner served as an Assistant Director of Nursing under his leadership and demonstrated exceptional leadership skills and decision making capabilities. Petitioner consistently provided care and leadership in a safe and competent manner. Mr. Bryant recommends reinstatement of Petitioner's nursing license.
 - 7.2. Letter of support, written by Helen D. Elder, Manager, Financial Aid Call Center, Dallas Community College District, Dallas, Texas, states that Petitioner served as a Financial Aid Call Center Agent for over two years. Petitioner is a team player who is always willing to help the team and co-workers. Ms. Elder states that Petitioner is recognized as one who goes above and beyond the call of duty. Petitioner worked at various campuses when additional help was needed. Ms. Elder recommends reinstatement of Petitioner's nursing license.
 - 7.3. Letter of support, written by Cathryn L. Adams, Director of Financial Aid, Cedar Valley College, Lancaster, Texas, states that she has known Petitioner for four and a half years, and she is a highly qualified individual with experience in the financial aid field. Ms. Adams states that Petitioner has consistently shown devotion to her objectives and unfailingly handled conflicts regarding students with style and intelligence. Petitioner has learned valuable life lessons by poor choices she has made in the past, and she has worked extremely hard to improve herself in many ways.

- 7.4. Letter of support, written by Pamela D. Hare, states that she met Petitioner while she was incarcerated at Dawson State Jail in Dallas, Texas. Ms. Hare states that as a volunteer Chaplain, she had the opportunity of spending a lot of time with Petitioner. Petitioner motivated other ladies and encouraged them while leading by example. Ms. Hare states that Petitioner is a very hard worker and very focused on being a productive member of society. Petitioner demonstrates compassion and care, treating others with respect. Ms. Hare states that Petitioner would be a great asset to the health care industry.
- 7.5. Letter of support, written by Vitoria Rae, Director, College Financial Aid, North Lake College, Irving, Texas, states that she has known Petitioner since 2010, and Petitioner has always displayed a high degree of integrity, responsibility, and ambition. Petitioner is a full time employee working at the Financial Aid Call Center and she interacts with hundreds of students daily and is responsible for reviewing their files for eligibility. Ms. Rae states that Petitioner is a dependable team player and an exceptional asset to the organization.
- 7.6. Letter of support, written by Lucy Smith, MEd, Hope Program Director, Hurst, Texas, states that Petitioner was a volunteer for HOPE in April 2007 as an offender peer educator at the Dawson State Jail, Dallas, Texas. Petitioner fulfilled her peer educator and leadership duties demonstrating the ability to follow directions with an appropriate attitude. Petitioner assisted with HOPE Community projects and demonstrated the ability to live a changed life.
- 7.7. Letter of support, written by John W. Wells, Director of Financial Aid, Brookhaven College, Farmers Branch, Texas, states that Petitioner worked in the Financial Aid Office at El Centro College, and she was an extremely conscientious, caring, empathetic person. Petitioner was diligent in completing any and all tasks assigned to her, and she had an excellent working relationship with all the staff. Petitioner conducted herself with extreme professionalism and maintained strict confidentiality with student information. Mr. Wells states that Petitioner has proven herself to be trustworthy and honest. Mr. Wells recommends reinstatement of Petitioner's nursing license.
- 7.8. Verification of successful completion of twenty (20) Type I Continuing Education Contact Hours.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Pursuant to Section 301.467, Texas Occupations Code, the Board may refuse to issue or renew a license, and may set a reasonable period that must lapse before reapplication. Pursuant to 22 TEX. ADMIN. CODE §213.26, the Board may impose reasonable conditions that a Petitioner must satisfy before reissuance of an unrestricted license.

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of BRENDA CHANCE, Vocational Nurse License Number 173567, to practice nursing in the state of Texas, be and the same is hereby GRANTED, AND SUBJECT TO THE FOLLOWING STIPULATIONS SO LONG AS THE PETITIONER complies in all respects with the Nursing Practice Act, Texas Occupations Code, §301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et. seq.* and the stipulations contained in this Order:

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Petitioner to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Petitioner's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Petitioner's license(s) is/are encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a nurse licensure compact privilege without the written permission of the State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has completed the following pre-licensure conditions and obtained a license to practice vocational nursing from the Board.

(2) PETITIONER SHALL apply for a "Six-Month Clinical Permit" for the limited purpose of completing a refresher course. PETITIONER SHALL NOT, in any way, attempt to use this clinical permit for any purpose other than attending this course.

(3) PETITIONER SHALL successfully complete a nursing refresher course prior to returning to the practice of vocational nursing in the State of Texas. PETITIONER SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include Nurses. The course's content shall include: 1) the role and scope of the vocational nurse; 2) a review of the nursing process to include focused assessment, planning, implementation and evaluation; 3) Pharmacology review; 4) medication administration review for all standard routes of administration; 5) documentation, ethical and legal implications for nursing practice; and 6) current CPR certification. This course shall include a minimum of the clinical components, providing direct patient care supervised by another nurse, as stated on the Board's website, <http://www.bon.texas.gov/olv/pdfs/6mth-lvn.pdf>.

(4) Upon completion of the refresher course, PETITIONER SHALL return the clinical permit to the office of the Board, and PETITIONER SHALL CAUSE the sponsoring institution to notify the Board, on a form provided by the Board, of Petitioner's successful completion of the refresher course, including the required clinical component.

(5) Upon verification of successful completion of the agreed pre-licensure probation conditions of reinstatement, as set out in this Order, PETITIONER SHALL pay all re-registration fees and be issued a license to practice vocational nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to BRENDA CHANCE, shall be subject to the following agreed post-licensure probation conditions:

(6) PETITIONER SHALL, within one (1) year of relicensure, successfully complete a course in Texas nursing jurisprudence and ethics. PETITIONER 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) 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 Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. PETITIONER 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 PETITIONER'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.bon.texas.gov/disciplinaryaction/stipscourses.html>

(7) PETITIONER SHALL, within one (1) year of relicensure, successfully complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension. In order to receive credit for completion of this program, PETITIONER SHALL SUBMIT the continuing education certificate of completion for this program to the Board's office, to the attention of Monitoring. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure. *Board-approved courses may be*

found at the following Board website address:

<http://www.bon.texas.gov/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, SHOULD PETITIONER CHOOSE TO WORK AS A NURSE IN TEXAS, PETITIONER WILL PROVIDE DIRECT PATIENT CARE AND PRACTICE IN A HOSPITAL, NURSING HOME, OR OTHER CLINICAL SETTING A MINIMUM OF SIXTY-FOUR (64) HOURS PER MONTH UNDER THE FOLLOWING STIPULATIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE STIPULATION PERIOD WILL BE EXTENDED UNTIL SUCH TWENTY-FOUR (24) MONTHS HAVE ELAPSED. PERIODS OF

UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A REGISTERED NURSE (RN) OR A VOCATIONAL NURSE (LVN) LICENSE, AS APPROPRIATE, WILL NOT APPLY TO THIS STIPULATION PERIOD:

(8) PETITIONER SHALL notify all future employers in vocational nursing of this Order of the Board and the stipulations on PETITIONER's license. PETITIONER SHALL present a complete copy of this Order and all Proposals for Decision issued by the Administrative Law Judge, if any, to each future employer prior to accepting an offer of employment.

(9) PETITIONER SHALL CAUSE each future employer to submit the Notification of Employment form, which is provided to the Petitioner by the Board, to the Board's office within five (5) days of employment as a vocational nurse.

(10) For the first year of employment as a vocational nurse under this Order, PETITIONER SHALL be directly supervised by a Registered Nurse or a Licensed Vocational Nurse. Direct supervision requires another professional or vocational nurse to be working on the same unit as PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on regularly assigned, identified and predetermined unit(s). The PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(11) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered Nurse or a Licensed Vocational Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as PETITIONER, but should be on the facility grounds and readily available to provide assistance and intervention if necessary. The supervising nurse shall have a minimum of two (2) years experience in the same or similar practice setting to which the Petitioner is currently working. PETITIONER SHALL work only regularly assigned, identified and predetermined unit(s).

PETITIONER SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. PETITIONER SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(12) PETITIONER SHALL CAUSE each employer to submit, on forms provided to the Petitioner by the Board, periodic reports as to Petitioner's capability to practice vocational nursing. These reports shall be completed by the Registered Nurse or Licensed Vocational Nurse who supervises the PETITIONER. These reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) months for two (2) years of employment as a vocational nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONER'S license(s) to practice nursing in the State of Texas and PETITIONER may be eligible for nurse licensure compact privileges, if any.

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PETITIONER'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I waive representation by counsel. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of convictions, such as: conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

I have reviewed this Order. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order. I waive judicial review of this Order. I understand that this Order is subject to ratification by the Board. When this Order is ratified, the terms of this Order become effective, and a copy will be mailed to me. I agree to inform the Board of any other fact or event that could constitute a ground for denial of licensure prior to reinstating my license to practice vocational nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my license(s) to practice nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 20 day of November, 2013

Brenda Chance
BRENDA CHANCE, Petitioner

Sworn to and subscribed before me this 20th day of November, 2013.

SEAL

Marilyn Herridge
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 20th day of November, 2013, by BRENDA CHANCE, Vocational Nurse License Number 173567, and said Order is final.

Effective this 23rd day of January, 2014.


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



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.
[Signature]
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational § AGREED
Nurse License Number 173567 §
issued to BRENDA CHANCE § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 173567, issued to BRENDA CHANCE, 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 South Plains College, Plainview, Texas on August 12, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on October 5, 1999.
5. Respondent's complete vocational nursing employment history is unknown.

6. On or about April 21, 1995, Respondent plead "Guilty" and was convicted of the offense, "Theft of Property, \$1500 ≤ \$20,000," (a State Jail Felony committed on October 14, 1994), in the Dallas County, Texas, 194th Judicial District Court, Cause Number F-9444486-IM. Respondent was assessed a punishment of a fine in the amount of three hundred dollars (\$300.00), ordered to pay restitution in the amount of two thousand eighty-two dollars and ninety-five cents (\$2282.95), and sentenced to two (2) years confinement in the State Jail Division of the Texas Department of Criminal Justice. Respondent's confinement sentence was suspended and Respondent was placed on community supervision for a period of five (5) years.

On January 31, 2000, a Motion was filed with the Court due to Respondent's failure to comply with Probation stipulations. The disposition is unknown.

7. On or about December 15, 2000, Respondent plead "Guilty" to the offense, "Theft of Property, \$1500 ≤ \$20,000," (a State Jail Felony committed on May 24, 2000), in the Hale County, Texas, 64th District Court, under Cause Number A13802-0008. Respondent's finding of guilt was deferred and Respondent was placed on community supervision for a period of five (5) years, ordered to pay restitution in the amount of four thousand nine hundred forty-seven dollars and one cent (\$4947.01), and ordered to perform four hundred (400) hours of community service.

On May 28, 2004, Respondent's term of supervision was extended two (2) years and was set to expire on December 15, 2007.

On June 1, 2005, a motion was filed based on the following: Respondent failed to report to community supervision, failed to pay fine and restitution, and failed to perform community service.

On or about February 16, 2007, Respondent was convicted of the offense, "Theft of Property, \$1500 ≤ \$20,000," (a State Jail Felony committed on May 24, 2000), in the Hale County, Texas, 242nd Judicial District Court, Cause Number A13802-0008. Respondent was assessed a punishment of a fine in the amount of ten thousand dollars (\$10,000.00), and sentenced to two (2) years confinement in the State Jail Division of the Texas Department of Criminal Justice.

8. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational nursing in the State of Texas.

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 Article 4528c, Sec. 10(a)(3)&(9), TEX. REV. CIV. STAT. ANN., and 22 TEX. ADMIN. CODE §239.11(1).
4. The evidence received is sufficient to prove violation of Sections 302.402(1)&(9) and 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(1) and 22 TEX. ADMIN. CODE §217.12(13).
5. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Vocational License Number 173567, heretofore issued to BRENDA CHANCE, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
6. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
7. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
8. 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 173567, heretofore issued to BRENDA CHANCE, 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 BRENDA CHANCE, 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 multistate privilege, if any, to practice vocational nursing in the State of Texas.

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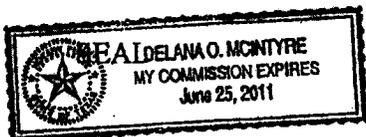
RESPONDENT'S CERTIFICATION

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 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 8th day of November, 2007.

Brenda Chance
BRENDA CHANCE, Respondent

Sworn to and subscribed before me this 8 day of November, 2007.



A. Delana O. McIntyre
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 173567, previously issued to BRENDA CHANCE.

Effective this 19th day of November, 2007.


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