



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.  
*William R. Palmer*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter § REINSTATEMENT  
Registered Nurse License Number 578145 §  
issued to WARDEN LAMAR PALMER § 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 Registered Nurse License Number 578145, held by WARDEN LAMAR PALMER, hereinafter referred to as Petitioner.

An informal conference was held on October 8, 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 represented by Laura Diamond, Attorney at Law. In attendance were Kristin Benton, MSN, RN, Director of Nursing, Executive Director's Designee; Kyle Hensley, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director, Enforcement Division; Gary Sibert, RN, Investigator; and Diane E. Burell, 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 notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on December 19, 1991. Petitioner was originally licensed to practice professional nursing in the State of Texas on March 17, 1992. Respondent completed an Advance Nursing Practice Program from Seton Hall University, South Orange, New Jersey, on December 9, 2005. Petitioner received Board authorization to practice as an Acute Care Adult Nurse Practitioner with Prescriptive Authority on April 10, 2006.
4. Petitioner's nursing employment history includes:

04/92 - 07/92	Staff RN	Northwest Texas Healthcare System Amarillo, TX
---------------	----------	---

Petitioner's nursing employment history continued:

07/92 - 04/93	RN	Golden Plains Community Hospital Borger, TX
08/92 - 04/93	Case Manager	Kimberly Care, Inc. Amarillo, TX
12/92 - 04/93	RN	Cedar Creek Hospital Amarillo, TX
04/93 - 12/93	Quality Assurance Director/ADON	Golden Plains Community Hospital Borger, TX
01/94 - 03/94	Clinical Coordinator	Family Hospital Amarillo, TX
03/94 - 09/94	RN	High Plains Baptist Hospital Amarillo, TX
09/95 - 01/96	RN	Amarillo Bone and Joint Amarillo, TX
01/96 - 09/98	RN	Dr. Paul Jew Amarillo, TX
09/98 - 07/03	Sales Rep	Pharmacia Corporation Amarillo, TX
07/03 - Unknown	RN	NW Texas Healthcare System Amarillo, TX & Golden Plains Community Hospital, Borger, TX
Unknown - 09/09	RN/ACNP	Stratford Hospital District Stratford, TX
10/09 - Current	Unknown	

5. On January 11, 2010, the Board accepted the voluntary surrender of Petitioner's license(s) to practice professional nursing in the State of Texas. A copy of the January 11, 2010, Agreed Order, Findings of Fact, and Conclusions of Law, is attached and incorporated, by reference, as a part of this Order.
6. On or about July 22, 2013, Petitioner submitted a Petition for Reinstatement of License to practice professional nursing in the State of Texas.

7. Petitioner presented the following in support of his petition:
- 7.1. Final judgment, dated April 14, 2011, in which Petitioner pled Guilty to one (1) count of Acquiring or Obtaining a Controlled Substance by Misrepresentation, Fraud, Deception or Subterfuge, in the United States District Court for the Northern District of Texas, Amarillo, Division. On April 29, 2013, Petitioner's supervision expired and he was discharged.
  - 7.2. Letter, dated July 3, 2013, from Kimberly Kerksiek, PhD, LMFT, Senior Director, Texas Tech University Health Sciences Center, Lubbock, Texas, stating Petitioner was discharged from services with exceptional progress on February 28, 2013. He was very open, active and cooperative throughout the course of his counseling sessions. Petitioner exhibited a positive attitude and displayed genuine motivation. His attendance was consistent and was never late for appointments. Petitioner demonstrated strong commitment to his family, his personal growth and to his professional development. He also demonstrated excellent communication and conflict management skills, as well as a strong awareness of healthy lifestyle and stress management. Petitioner discussed past alcohol use, and based on these discussions, no problems related to alcohol or other drugs were indicated.
  - 7.3. Letter, dated June 3, 2013, from Yvette Castillo, PhD, LPC-S, Amarillo Family Institute, Inc., Amarillo, Texas, stating she first began working with Petitioner in 2009. He sought out counseling services due to tremendous loss and grief issues, both in his personal life and career. Petitioner reportedly suffered from marital discord and blurred boundaries in the workplace that eventually lost him his nursing license. During the year that Dr. Castillo met with Petitioner, she found him to be intelligent, caring and willing to take responsibility for his own actions. He worked hard to understand his own sense of over responsibility for his family and patients. He continuously put forth the effort necessary to find balance between mental and physical health. Dr. Castillo believes Petitioner is ready to practice as a professional nurse.
  - 7.4. Letter, dated July 10, 2013, from Chanda S. Dihenia, MD, Lubbock, Texas, stating Petitioner is in excellent physical and mental health. He suffers from no form of chemical dependency. All of his urine drug screens have been negative.
  - 7.5. Letter, dated February 12, 2013, from Jarrett Johnston, Amarillo, Texas, stating he represented Petitioner in 2010 and 2011. Petitioner was indicted in December 2010 on two (2) counts of Distributing, Dispensing or Possessing with Intent to Distribute or Dispense Controlled Substances and one (1) count of Acquiring or Obtaining a Controlled Substance by Misrepresentation, Fraud, Deception, or Subterfuge. Ultimately, the two (2) counts of Distributing, Dispensing or Possessing with Intent to Distribute or Dispense were dismissed on motion of the government. Petitioner entered into a plea agreement on the remaining count wherein he pled guilty and was convicted in January 2011. The federal sentencing guidelines regarding the offense mandated confinement of 0-6 months. Based on the available confinement term, Petitioner was eligible for probation. Unfortunately, the federal judge did not agree and sentenced Petitioner to one (1) year confinement, outside of the sentencing guidelines.

- 7.6. Letter of support, dated May 6, 2013, from Gene Day, President, Steel Depot, Lubbock, Texas, stating Petitioner has proven to be honest, trustworthy, loyal and a very hard worker who is willing to do anything asked of him. He has been instrumental in starting a ministry at church called the Freedom Ministry to assist people who have just been released from prison. Mr. Day would recommend Petitioner to anyone as an employee. He is a very good influence on the people around him and has a positive effect on his co-workers.
  - 7.7. Letter of support, dated January 12, 2013, from Mary Zickefoose, LMSW-IPR, Lubbock, Texas, stating she has known Petitioner for about year and has worked with him on several mission projects through Westminster Presbyterian Church in Lubbock, Texas. Ms. Zickefoose did not know Petitioner prior to his licensed being surrendered, but knew of his previous situation. Ms. Zickefoose has seen no evidence of any alcohol or drug abuse, only a sincere desire and pursuit to be a productive citizen of the community. Petitioner is more than willing to be held accountable in his practice by whatever measures the Board would deem appropriate. Ms. Zickefoose respectfully and fervently requests that Petitioner be allowed to return to the field of medicine as a nurse practitioner.
  - 7.8. Seven (7) negative drug screens collected from March 23, 2010, through October 15, 2010.
  - 7.9. Verification of successful completion of the required Continuing Education Contact Hours for reinstatement.
8. On November 11, 2013, Petitioner completed a chemical dependency evaluation conducted by Matthew L. Ferrara, PhD. Dr. Ferrara concluded that Petitioner has two (2) risk factors that suggest he would have difficulty conforming his behavior to professional nursing standards: misuse of alcohol and legal problems. The evaluation also found that Petitioner has a number of protective factors that indicate he is inclined to conform his behavior to professional nursing standards. Overall, the positive findings of the evaluation outweigh the negative findings. Dr. Ferrara also concluded that Petitioner should be licensed as a nurse if he submits to frequent drug/alcohol screens and his practice is supervised.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. 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.
3. 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 WARDEN LAMAR PALMER, Registered Nurse License Number 578145, 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 pay all re-registration fees and be issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said licenses issued to WARDEN LAMAR PALMER, shall be subject to the following agreed post-licensure stipulations:

(2) 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>.

(3) RESPONDENT 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, RESPONDENT 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 PROBATION CONDITIONS FOR TWO (2) YEARS OF EMPLOYMENT. THE LENGTH OF THE PROBATION 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:

(4) RESPONDENT SHALL notify all future employers in nursing of this Order of the Board and the stipulations on RESPONDENT'S license(s). RESPONDENT 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.

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

(6) For the first year of employment as a Nurse under this Order, RESPONDENT SHALL be directly supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as a Licensed Vocational Nurse. Direct supervision requires another nurse, as applicable, to be working on the same unit as RESPONDENT and immediately available to provide assistance and intervention. PETITIONER may be supervised by Ben Edwards, MD, while employed with Veritas Medical, Lubbock, Texas. 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.

(7) For the remainder of the stipulation period, PETITIONER SHALL be supervised by a Registered Nurse, if licensed as a Registered Nurse, or by a Licensed Vocational Nurse or a Registered Nurse, if licensed as 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. PETITIONER may be supervised by Ben Edwards, MD, while employed with Veritas Medical, Lubbock, Texas. 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.

(8) 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 nursing. These reports shall be completed by the 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) month period for two (2) year(s) of employment as a nurse.

(9) PETITIONER SHALL abstain from the consumption of alcohol, Nubain, Stadol, Dalgan, Ultram, or other synthetic opiates, and/or the use of controlled substances, except as prescribed by a licensed practitioner for a legitimate purpose. If prescribed, PETITIONER SHALL CAUSE the licensed practitioner to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the office of the Board by the prescribing practitioner, within ten (10) days of the date of the prescription. **In the event that prescriptions for controlled substances are required for periods of two (2) weeks or longer, the Board may require and PETITIONER SHALL**

submit to a pain management and/or chemical dependency evaluation by a Board approved evaluator. The performing evaluator must submit a written report meeting the Board's requirements to the Board's office within thirty (30) days from the Board's request.

(10) RESPONDENT SHALL submit to random periodic screens for controlled substances, tramadol hydrochloride (Ultram), and alcohol. For the first three (3) month period, random screens shall be performed at least once per week. For the next three (3) month period, random screens shall be performed at least twice per month. For the next six (6) month period, random screens shall be performed at least once per month. For the remainder of the stipulation period, random screens shall be performed at least once every three (3) months. All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board.

Specimens shall be screened for at least the following substances and their metabolites:

Amphetamines	Meperidine
Barbiturates	Methadone
Benzodiazepines	Methaqualone
Cannabinoids	Opiates
Cocaine	Phencyclidine
Ethanol	Propoxyphene
tramadol hydrochloride (Ultram)	

A Board representative may appear at the RESPONDENT'S place of employment at any time during the stipulation period and require RESPONDENT to produce a specimen for screening.

All screens shall be properly monitored and produced in accordance with the Board's policy on Random Drug Testing. A complete chain of custody shall be maintained for each specimen obtained and analyzed. RESPONDENT SHALL be responsible for the costs of all random drug screening during the stipulation period.

Any positive result for which the nurse does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject the nurse to further disciplinary action, including EMERGENCY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of Respondent's license(s) and nurse licensure compact privileges, if any, to practice nursing in the State of Texas. Further,

failure to report for a drug screen, excessive dilute specimens, or failure to call in for a drug screen may be considered the same as a positive result or refusal to submit to a drug or alcohol screen.

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.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

PETITIONER'S CERTIFICATION

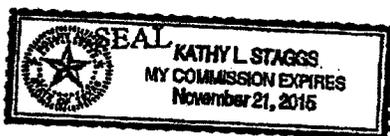
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with 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 professional 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 8 day of Jan, 2014

[Signature]  
WARDEN LAMAR PALMER, Petitioner

Sworn to and subscribed before me this 5<sup>th</sup> day of January, 2014.



[Signature]  
Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]  
Laura Diamond, Attorney for Petitioner

Signed this 9<sup>th</sup> day of January 2014.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 8th day of January, 2014, by WARDEN LAMAR PALMER, Registered Nurse License Number 578145, and said Order is final.

Effective this 11th day of February, 2014.



Katherine A. Thomas  
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.  
*Stephanie P. Palmer*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

\*\*\*\*\*

In the Matter of Registered Nurse License Number 578145 §  
issued to WARDEN LAMAR PALMER §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 578145, issued to WARDEN LAMAR PALMER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived informal proceedings, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Amarillo College, Amarillo, Texas, on December 19, 1991. Respondent was licensed to practice professional nursing in the State of Texas in March 17, 1992.
4. Respondent's professional nursing employment history includes:

04/92 - 07/92	Staff RN	Northwest Texas Healthcare System Amarillo, TX
07/92 - 04/93	RN	Golden Plains Community Hospital Borger, TX
08/92 - 04/93	Case Manager	Kimberly Care, Inc. Amarillo, TX

Respondent's professional nursing employment history (continued):

12/92 - 04/93	RN	Cedar Creek Hospital Amarillo, TX
04/93 - 12/93	Quality Assurance Director/ADON	Golden Plains Community Hospital Borger, TX
01/94 - 03/94	Clinical Coordinator	Family Hospital Amarillo, TX
03/94 - 09/94	RN	High Plains Baptist Hospital Amarillo, TX
09/95 - 01/96	RN	Amarillo Bone and Joint Amarillo, TX
01/96 - 09/98	RN	Dr. Paul Jew Amarillo, TX
09/98 - 07/03	Sales Rep	Pharmacia Corporation Amarillo, TX
07/03 - Unknown	RN	NW Texas Healthcare System Amarillo, TX & Golden Plains Community Hospital, Borger, TX
Unknown - 09/09	RN/ACNP	Stratford Hospital District Stratford, TX
10/09 - Current	Unknown	

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

5. On or about November 4, 2009, the Texas Board of Nursing notified Respondent of the following allegations:
- On or about September 11, 1991, Respondent was arrested by the Potter County Sheriff's Office, Amarillo, Texas, and was subsequently Convicted of DRIVING UNDER THE INFLUENCE OF LIQUOR. As a result of the conviction, Respondent was placed on probation for a period of sixty (60) days.
  - On or about February 2009, while employed as a Registered Nurse (and Acute Care Nurse Practitioner) with Stratford Family Medical Clinic, Stratford, Texas, Respondent:
    - engaged in the intemperate use of alcohol;
    - lacked fitness to practice professional nursing in that Respondent was consuming an alcoholic beverage while caring for Patient L.A.;
    - failed to safely administer an IV; and
    - inappropriately handled and administered Demerol.
  - On or about August 2009, while employed as a Registered Nurse (and Acute Care Nurse Practitioner) with Stratford Family Medical Clinic, Stratford, Texas, Respondent:
    - failed to record and maintain timely documentation of patient consults;
    - had complaints from patients stating that they did not trust Respondent to make sound medical judgments;
    - failed to charge all patients for services rendered;
    - failed to accurately and completely document controlled substance administration records;
    - threatened staff with retaliation; and
    - prescribed large amounts of Lortab to a patient without medical justification.
6. On January 5, 2010, Respondent submitted a notarized statement to the Board voluntarily surrendering the right to practice professional nursing in Texas. A copy of Respondent's notarized statement, dated December 14, 2009, is attached and incorporated herein by reference as part of this Order.
7. 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.
8. 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 violation of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.11(1)(B),(C), (D)(ii)&(iv)&(4)(A)&(B), and 22 TEX. ADMIN. CODE §217.12(1)(B)&(C),(4),(5), (6)(A),(C),(F)&(H),(10)(A)&(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.

THE BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 578145, heretofore issued to WARDEN LAMAR PALMER, to practice professional 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 WARDEN LAMAR PALMER, to the office of the Texas Board of Nursing.
2. RESPONDENT SHALL NOT practice professional nursing, use the title of Registered Nurse or the abbreviation RN or wear any insignia identifying himself as a Registered Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Registered 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 professional nursing in compact states.

Effective this 11<sup>th</sup> day of January, 2010.

TEXAS BOARD OF NURSING

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

