



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.
Patricia Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED
Registered Nurse License Number 644704 §
issued to DANA GRACE TRIETSCH § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DANA GRACE TRIETSCH, Registered Nurse License Number 644704, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived notice 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 served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in delinquent status.
4. Respondent received an Associate Degree in Nursing from Sisseton Wahpeton Community College, Sisseton, South Dakota, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on August 12, 1997.
5. Respondent's professional nursing employment history includes:

08/1997 - 05/2006	Unknown	
05/2006 - 06/2007	RN	The Right Step Eules, Texas

Respondent's professional nursing employment history continued:

06/2007 - 10/2008	RN	Green Oaks Psychiatric Hospital Dallas, Texas
10/2008 - 12/2008	Unknown	
12/2008 - 05/2010	RN	Stonegate Nursing Center Fort Worth, Texas
06/2010 - 04/2011	RN	Santé Center for Healing Argyle, Texas

5/2011-Present	Unknown	
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6. On or about November 21, 2007, Respondent's license to practice professional nursing in the State of Texas was issued the sanction of REMEDIAL EDUCATION WITH A FINE. Respondent has successfully completed the terms of the order. A copy of the Findings of Fact, Conclusions of Law and Order, dated November 21, 2007, is attached and incorporated, herein, by reference, as part of this Order.
7. At the time of the initial incident in Finding of Fact Number Eight (8), Respondent was employed as a Registered Nurse with Santé Center for Healing, Argyle, Texas, and had been in this position for ten (10) months.
8. On or about April 8, 2011, while employed with Santé Center for Healing, Argyle, Texas, Respondent engaged in the intemperate use of Amphetamines in that she produced a specimen for a drug screen that resulted positive for Amphetamines. Unlawful possession of Amphetamines is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Amphetamines by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients' conditions, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patients in potential danger.
9. On or about April 29, 2012, while participating in the Texas Peer Assistance Program for Nurses (TPAPN), Respondent lacked fitness to practice professional nursing in that she admitted to relapsing with Cocaine and being admitted to The DePaul Center, Waco, Texas for psychiatric medication adjustments and substance use disorder. Possession of Cocaine is prohibited by Chapter 481 of the Texas Health & Safety Code (Controlled Substances Act). The use of Cocaine by a Registered Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patients' conditions, and could impair the nurse's ability to make rational, accurate, and appropriate assessments,

judgments, and decisions regarding patient care, thereby placing the patients in potential danger.

10. In response to Findings of Fact Numbers Eight (8), and Nine (9), Respondent admits that she did test positive for amphetamines as she was taking Vyvanse 70mg capsules for Shift Work Sleep Disorder. Respondent denies that it impaired her ability to recognize signs, symptoms, or changes in patients conditions. In regards to Finding of Fact Number Nine (9), Respondent states that she was not practicing nursing at the time of the incident. Respondent states that she was suffering from depression and did succumb to the one (1) time use of cocaine with a friend who insisted that it would boost her mood. Respondent states she immediately voluntarily admitted herself to DePaul Center to deal with her issues. Respondent states she has been diagnosed with Major Depressive Disorder.
11. Formal Charges were filed on July 24, 2014.
12. Formal Charges were mailed to Respondent on July 24, 2014.
13. Respondent, by his/her signature to this Order, expresses his/her desire to voluntarily surrender his/her license(s) to practice nursing in the State of Texas.
14. 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.
15. 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(s) of 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B),(4),(5),(10)(A),(10)(D)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(9)&(10), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 644704, heretofore issued to DANA GRACE TRIETSCH, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.
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.

TERMS OF ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the **VOLUNTARY SURRENDER** of Registered Nurse License Number 644704, heretofore issued to DANA GRACE TRIETSCH, 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 NOT practice professional/registered nursing, use the title "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself/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.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until:
 - A. One (1) year has elapsed from the date of this Order; and
 - B. RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition for reinstatement.
3. 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 nurse licensure compact privileges, if any, to practice nursing in the State of Texas.

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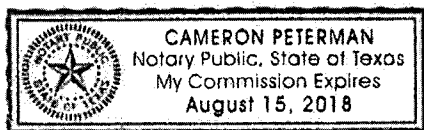
RESPONDENT'S CERTIFICATION

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 violation(s) alleged herein. By my signature on this Order, I agree to the entry of this 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 August, 2015.
Dana Grace Trietsch
DANA GRACE TRIETSCH, Respondent

Sworn to and subscribed before me this 7 day of August, 2015.

SEAL



[Signature]
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 Registered Nurse License Number 644704, previously issued to DANA GRACE TRIETSCH.

Effective this 25th day of August, 2015.



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSING
FOR THE STATE OF TEXAS

In the Matter of License Number 644704
issued to DANA GRACE TRIETSCH

§ AGREED
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of DANA GRACE TRIETSCH, Registered Nurse License Number 644707, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(1),(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on June 7, 2007, 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 professional nursing in the State of Texas.
4. Respondent received an Associate Degree in Nursing from Sisseton Wahpeton Community College, Sisseton, South Dakota, on May 1, 1997. Respondent was licensed to practice professional nursing in the State of Texas on August 12, 1997.
5. Respondent's professional nursing employment history is unknown.

6. On or about March 17, 2005, Respondent submitted a renewal form online for Registered Nurses to the Texas Board of Nurse Examiners in 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, plead 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 arrest (excluding minor traffic violations) since the last renewal? This includes expunged offenses and deferred adjudications with or without prejudice of guilt."

7. On or about December 6, 2006, Respondent was requested to comply with a random criminal background audit check. The results revealed the following non disclosed criminal history to wit:

On or about January 19, 2005, Respondent pled guilty to the Class A Misdemeanor offense of Possession of a Dangerous Drug in County Criminal Court Number 10, Tarrant County, Euless, Texas, Cause Number 0953801. Respondent was sentenced to twelve (12) months probation, a fine in the amount of one hundred dollars (\$100.00), court costs in the amount of one hundred sixty-seven dollars (\$167.00), and given deferred adjudication.

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)(1),(2)&(10), Texas Occupations Code, and ~~22 TEX. ADMIN. CODE §217.12(6)(I)&(13).~~
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 644704, heretofore issued to DANA GRACE TRIETSCH, including revocation of Respondent's license to practice professional nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Board of Nurse Examiners, that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION WITH A FINE, 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 Professional 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 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 deliver the wallet-sized license issued to DANA GRACE TRIETSCH to the office of the Board of Nursing within ten (10) days of the date of ratification of this Order for appropriate notation.

(2) 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.bon.state.tx.us/about/stipscourses.html>.*

(3) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the 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 professional 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 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 professional nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 15 day of November, 2007.

Dana Grace Trietsch

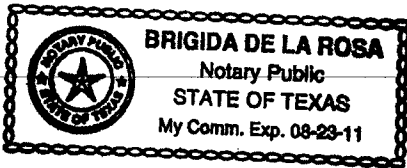
DANA GRACE TRIETSCH, Respondent

Sworn to and subscribed before me this 15th day of November, 2007.

SEAL

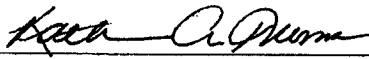
Brigida De La Rosa

Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nursing for the State of Texas, does hereby ratify and adopt the Agreed Order that was signed on the 15 day of November, 2007, by DANA GRACE TRIETSCH, Registered Nurse License Number 644704, and said Order is final.

Effective this 21 day of November, 2007.



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