



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 § AGREED
Registered Nurse License Number 611293 §
issued to REBECCA STRAIN NEWMAN § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of REBECCA STRAIN NEWMAN, Registered Nurse License Number 611293, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may be subject to discipline pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code. Respondent waived notice and hearing and agreed to the entry of this Order approved by Katherine A. Thomas, MN, RN, FAAN, Executive Director, on February 4, 2016.

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 current status.
4. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on October 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on November 22, 1994.
5. Respondent's professional nursing employment history includes:

11/1994 - 06/1996	RN	Memorial Medical Center Corpus Christi, Texas
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Respondent's professional nursing employment history continued:

06/1996 - 09/1998	RN	Columbia Home Care Sinton, Texas
09/1998 - 09/1999	RN	Doctors Regional Medical Center Corpus Christi, Texas
09/1999 - 12/1999	RN	Girling Home Care Corpus Christi, Texas
01/2000 - 05/2007	RN	Baylor University Medical Center Dallas, Texas
06/2007 - 11/2009	Unknown	
12/2009 - 02/2015	RN	Texas Health Presbyterian Hospital Rockwall, Texas
03/2015 - Present	Unknown	

6. On June 27, 2007, Respondent VOLUNTARILY SURRENDERED her licensed to practice professional nursing to the Texas Board of Nursing. A copy of the Findings of Fact, Conclusion of Law, and Order of the Board, dated June 27, 2007, is attached and incorporated, by reference, as part of this Order.
7. On May 7, 2009, Respondent's license to practice professional nursing was REINSTATED by the Texas Board of Nursing, and Respondent was issued a REINSTATEMENT AGREED ORDER requiring her to participate and complete the Texas Peer Assistance Program for Nurses (TPAPN). A copy of the Findings of Fact, Conclusion of Law, and Order of the Board, dated May 7, 2009, is attached and incorporated, by reference, as part of this Order.
8. At the time of the initial incident, Respondent was employed as a Registered Nurse with Texas Health Presbyterian Hospital, Rockwall, Texas, and had been in that position for approximately five (5) years and two (2) months.
9. On or about February 11, 2015, while employed as a Registered Nurse with Texas Health Presbyterian Hospital, Rockwall, Texas, Respondent falsely documented the administration of Hydromorphone for Patient 60136216, in that the patient stated he/she had not received the medication. Respondent's conduct created an inaccurate medical record and failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment.

10. On or about February 11, 2015, while employed as a Registered Nurse with Texas Health Presbyterian Hospital, Rockwall, Texas, Respondent misappropriated Hydromorphone belonging to the facility or patients thereof, or failed to take precautions to prevent the misappropriation of Hydromorphone. Respondent's conduct was likely to defraud the facility and patients of the cost of the medication.
11. On or about February 11, 2015, while employed as a Registered Nurse with Texas Health Presbyterian Hospital, Rockwall, Texas, Respondent engaged in the intemperate use of Barbiturates, Morphine, Codeine, and Hydromorphone in that she produced a specimen for a drug screen that resulted positive for Barbiturates, Morphine, Codeine, and Hydromorphone. Possession of Barbiturates, Morphine, Codeine, and Hydromorphone, without a valid prescription, is prohibited by Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act). The use of Barbiturates, Morphine, Codeine, and Hydromorphone 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 patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.
12. In response to Findings of Fact Numbers Nine (9) through Eleven (11), Respondent states she understands the seriousness of the matter and the ramifications of her conduct. Respondent admits to the intemperate use of Hydromorphone and had a brief slip in her long standing sobriety. Prior to this incident, she had been sober since July 11, 2007. She is grateful that intervention occurred at an early stage, and since this incident she has been wholly substance free.
13. Respondent's last known date of sobriety is February 11, 2015, as indicated in Findings of Fact Numbers Nine (9) through Eleven (11).
14. 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 §217.11(1)(A),(1)(B),(1)(C)&(1)(D) and 22 TEX. ADMIN. CODE

§217.12(1)(A),(1)(B),(1)(C),(4),(5),(6)(A),(6)(G),(6)(H),(8),(10)(A),(10)(B),(10)(E)&(11)(B).

4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 611293, heretofore issued to REBECCA STRAIN NEWMAN, 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.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **LIMITED LICENSE WITH STIPULATIONS** in accordance with the terms of this Order.

- A. While under the terms of this Order, **RESPONDENT SHALL NOT provide direct patient care.** For the purposes of this Order, direct patient care involves a personal relationship between the nurse and the client, and includes, but is not limited to: teaching, counseling, assessing the client's needs and strengths, and providing skilled nursing care.
- B. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- C. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- D. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply 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 this Order.

III. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of entry of this Order:**

A Board-approved course in Texas nursing jurisprudence and ethics that 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. Home study courses and video programs will not be approved.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

IV. RESTORATION OF PATIENT CARE PRIVILEGE AND/OR UNENCUMBERED LICENSE(S)

SHOULD RESPONDENT desire to provide direct patient care, RESPONDENT SHALL petition the Board for such approval, at which time, the RESPONDENT MUST satisfy all then existing requirements for re-issuance of the privilege to provide direct patient care. Further, the Board may impose reasonable conditions that must be satisfied by the RESPONDENT before

re-issuance of an unencumbered license, which, at a minimum, shall include the remedial education courses, work restrictions, supervised practice, and/or employer reporting which would have been requirements of this Order had the license(s) not been placed in limited status.

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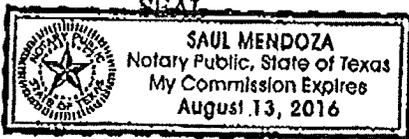
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. 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 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 possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 10th day of March, 2016.

Rebecca Strain Newman
REBECCA STRAIN NEWMAN, Respondent

Sworn to and subscribed before me this 10th day of March, 2016.



Saul M

Notary Public in and for the State of Texas

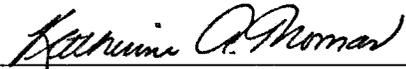
Approved as to form and substance.

Andre D'Silva for Louis Leichter, Attorney for Respondent

Signed this 14 day of MARCH, 2016.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order that was signed on the 10th day of March, 2016, by REBECCA STRAIN NEWMAN, Registered Nurse License Number 611293, and said Order is final.

Effective this 21st day of April, 2016.



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

BEFORE THE 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.
Patricia A. Johnson
Executive Director of the Board

In the Matter of Registered Nurse
License Number 611293
issued to REBECCA STRAIN NEWMAN

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REINSTATEMENT
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 611293, h by REBECCA STRAIN NEWMAN, hereinafter referred to as Petitioner.

An informal conference was held on April 14, 2009, 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 Louis Leichter, Attorney at Law. In attendance were Denise Benbow, MSN, RN, Nursing Consultant, Executive Director's Designee; Jena Abel, Assistant General Counsel; Anthony L. Diggs, MSCJ, Director of Enforcement; 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.
2. Petitioner waived notice and hearing, and consented to the entry of this Order.
3. Petitioner received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on October 1, 1994. Petitioner was originally licensed to practice professional nursing in the State of Texas on November 22, 1994.

4. Petitioner's professional nursing employment history includes:

11/94 - 6/96	Staff/Charge Nurse	Memorial Medical Center Corpus Christi, Texas
6/96 - 9/98	Case Manager	Columbia Home Care Sinton, Texas
9/98 - 9/99	Staff/Charge Nurse	Doctors Regional Medical Center Corpus Christi, Texas
9/99 - 12/99	Staff Nurse	Girling Health Care Corpus Christi, Texas
2/00 - 5/07	Staff Nurse	Baylor University Medical Center Dallas, Texas
6/07 - present	Not employed in nursing	

5. On June 27, 2007, Petitioner voluntarily surrendered her license to practice professional nursing in the State of Texas. A copy of the June 27, 2007, 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 January 12, 2009, 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 her petition:
- 7.1. Letter, dated August 14, 2007, from Kerrville Medical Services, Kerrville, Texas, states Petitioner was admitted to La Hacienda Treatment Center on July 11, 2007, and was discharged on August 15, 2007, after having successfully completed the program.
- 7.2. Letter, dated May 3, 2008, from Beverly Hastings, MA, LPS, LCDC, Dallas, Texas, states Petitioner completed the Road to Recovery Intensive Outpatient Program. Petitioner began attending the program on August 21, 2007. Petitioner completed 24 groups of the Intensive Outpatient Program on October 11, 2007, attending 4 times per week and attendance of 2 required 12-step meetings per week. She also completed a 12-step sponsor visit which is one of the requirements for completion of the outpatient program. Petitioner is extremely committed to her recovery and has worked diligently to change her life in a positive direction. She has progressed well and contributed to the group with her openness and genuineness as well as positive attitude. She is expected to do well if she continues attending 12-step meetings and working with her sponsor.

attitude. She is expected to do well if she continues attending 12-step meetings and working with her sponsor.

- 7.3. Letter of support from Lori Johnson, Rockwall, Texas, states she currently serves as Petitioner's Narcotics Anonymous sponsor, and has known her since May 2008. In her experience with Petitioner, Ms. Johnson has found her to be dedicated, hardworking, and sincere in her recovery. During the time Ms. Johnson has known Petitioner, she has been abstinent of alcohol and drugs. Ms. Johnson thinks Petitioner is very committed to her sobriety and utilizes the NA/AA program wisely. Ms. Johnson would highly recommend Petitioner for reinstatement of her license.
- 7.4. Letter of support, dated January 7, 2009, from Casey Christian, LCSW, Lake Pointe Church, states Petitioner has been attending the Recovery for Life program, a Christ-centered 12 step recovery program, regularly since May 2008. She has also attended other 12-step groups offered through the church. These programs are designed to provide education, support, hope, and accountability for those struggling with addictions. Petitioner's sobriety date is July 11, 2007. She has been a consistent part of the group since she has been attending and has participated in helping to run the program. Petitioner appears to have made great progress in the program and states that she plans to continue coming to the group.
- 7.5. Letter of support, dated December 31, 2008, from Dr. Robert Breen, LPC, LCDC, Rockwall, Texas, states he first met with Petitioner on August 17, 2007, following her discharge from La Hacienda Treatment Center. She sought residential treatment following her admission of drug dependency to opiates. Her sobriety date began July 11, 2007. During the course of treatment with Dr. Breen, which was typically weekly to biweekly sessions, Petitioner also attended AA and NA meeting on a frequent basis. She followed all prescribed aftercare procedures recommended at La Hacienda. In therapy, they have addressed many of the underlying issues leading to Petitioner's chemical dependency, and she is committed to sobriety and a drug free lifestyle. Petitioner has kept diligent documentation of her treatment and recovery. Dr. Breen thinks Petitioner's prognosis is quite favorable and fully recommends that she be reinstated with her license.
- 7.6. Letter of support from Rachel Nantze, Rowlett, Texas, states since May 2008, she has spent a great deal of time each week with Petitioner. Ms. Nantze has not known Petitioner to have violated her commitment to her recovery from alcohol or drugs in any form. She is an irreplaceable asset to the group of members in Narcotics Anonymous. Trustworthiness, compassion and sincerity mark her as a woman anyone would want to associate with. Petitioner is always willing to go the extra mile for others when called upon to do so.
- 7.7. Letter of support, dated June 11, 2008, from Shaad Bidiwala, MD, Dallas, Texas, states Petitioner stopped by his office with a kind note asking to meet with them in order to make amends. She has been clean for approximately one (1) year. Petitioner

appears to be doing well. Dr. Bidiwala discussed with Petitioner and emphasized to her that she will need to continue her progress in rehabilitation.

- 7.8. Documentation of two (2) negative drug screens collected May 21, 2008, and September 9, 2008.
 - 7.9. Documentation of support group attendance dating from December 2007 through December 2008.
 - 7.10. Verification of successful completion of fifty (50) Type I Continuing Education Contact Hours.
8. Petitioner gives July 11, 2007, as her date of sobriety.

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 REBECCA STRAIN NEWMAN, Registered Nurse License Number 611293, to practice professional 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 this Order SHALL be applicable to Petitioner's multistate licensure privilege, if any, to practice professional nursing in the State of Texas

IT IS FURTHER AGREED and ORDERED that while Petitioner's license is encumbered by this Order, Petitioner may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the Texas Board of Nursing 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 paid all re-registration fees and is issued a license to practice nursing in the State of Texas, which shall bear the appropriate notation. Said license issued to REBECCA STRAIN NEWMAN, shall be subject to the following agreed post-licensure stipulations:

(2) PETITIONER SHALL, within forty-five (45) days following relicensure, apply to and be accepted into the Texas Peer Assistance Program for Nurses (TPAPN), which SHALL include payment of a non-refundable participation fee in the amount of five hundred dollars (\$500) payable to TPAPN.

(3) Upon acceptance into the TPAPN, PETITIONER SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nursing.

(4) PETITIONER SHALL comply with all requirements of the TPAPN contract during its term.

(5) PETITIONER SHALL CAUSE the TPAPN to notify the Board of Nursing of any violation of the TPAPN contract.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order,
PETITIONER 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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PETITIONER'S CERTIFICATION

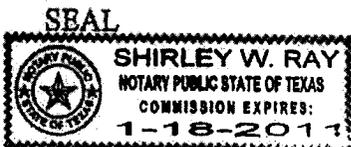
I understand that I have the right to legal counsel prior to signing this Reinstatement Agreed Order. I certify that my past behavior, except as disclosed in my Petition for Reinstatement of Licensure, has been in conformity with the Board's professional character rule. I have provided the Board with 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 to practice professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 30th day of April, 2009.

Rebecca Strain Newman
REBECCA STRAIN NEWMAN, Petitioner

Sworn to and subscribed before me this 30th day of April, 2009.



Shirley W. Ray
Notary Public in and for the State of Texas

Approved as to form and substance.

[Signature]
LOUIS LEICHTER, Attorney for Petitioner

Signed this 1 day of May, 2009.

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 30th day of April, 2009, by REBECCA STRAIN NEWMAN, Registered Nurse License Number 611293, and said Order is final.



Effective this 7th day of May, 2009.


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

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse License Number 611293 §
issued to REBECCA STRAIN NEWMAN §

ORDER OF THE BOARD

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 611293, issued to REBECCA STRAIN NEWMAN, 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 is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal conference, notice and hearing.
3. Respondent received an Associate Degree in Nursing from Del Mar College, Corpus Christi, Texas, on October 1, 1994. Respondent was licensed to practice professional nursing in the State of Texas on November 22, 1994.
4. Respondent's complete professional nursing employment history is unknown.
5. On June 13, 2007, the Board of Nurse Examiners for the State of Texas notified Respondent of the following allegations:
 - 5.1 On dates unknown to this agency, while employed as a Registered Nurse with Baylor Healthcare System, Dallas, Texas, Respondent misappropriated prescription forms for narcotics from discharged patients.

- 5.2 On or about May 10, 2006, while employed as a Registered Nurse with Baylor Healthcare System, Dallas, Texas, Respondent called in an unauthorized prescription for Norco and Vicodin at Walgreen's Pharmacy, Dallas, Texas, through the use of a fraudulent prescription bearing the name of Shaad Bidiwala, M.D., and the Drug Enforcement Agency (DEA) number assigned to Dr. Bidiwala. Additionally, Respondent admitted that she attempted to obtain Norco and Vicodin from the Walgreen's Pharmacy.
- 5.3 Additionally, there have been several recent Vicodin prescriptions filled at Walgreen's, Dallas, Texas, for Respondent under Dr. Bidiwala's name.
- 5.4 On or about May 16, 2007, while employed as a Registered Nurse with Baylor Healthcare System, Dallas, Texas, Respondent engaged in the intemperate use of Propoxyphene in that Respondent produced a specimen for a drug screen which resulted positive for Propoxyphene.
6. On June 4, 2007, the Board of Nurse Examiners for the State of Texas received a notarized statement from Respondent stating her desire to voluntarily surrender her right to practice professional nursing in Texas. A copy of this statement is attached and incorporated 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), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(6)(G)&(H),(10)(A),(D)&(E)&(11)(B).

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

ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 611293, heretofore issued to REBECCA STRAIN NEWMAN, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized license, heretofore issued to REBECCA STRAIN NEWMAN, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself 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.

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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 27th day of June, 2007.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

By:



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

May 29, 2007

Diane Burell
Board of Nurse Examiners
333 Guadalupe #3-460
Austin, TX 78701

Dear Ms. Burell:

I, Rebecca Strain Newman, voluntarily surrender my nursing license. I no longer wish to be a registered nurse in Texas, or any other state. My license number is 611293. Thank you for your assistance.

Sincerely,

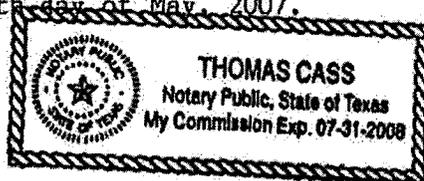


Rebecca Strain Newman

STATE OF TEXAS
COUNTY OF SAN PATRICIO

Before me, Thomas Cass, Notary Public in and for The State of Texas, on this day personally appeared Rebecca Strain Newman, known to me to be the person whose name is subscribed to this letter and acknowledged to me that she signed it for the purpose herein stated.

Subscribed to and sworn to before me, the undersigned authority, on this 29th day of May, 2007.



Notary Public for the State of Texas.