

Petitioner's nursing employment history continued:

6/99 - 6/01	Travel Nurse	Cross Country Travel/The Beatitudes Arizona
9/01 - 10/02	Staff Nurse	Lawnwood Regional Fort Pierce, Florida
7/02 - 10/03	Patient Coordinator	Community Home Health Fort Pierce, Florida
3/04 - 6/04	Staff Nurse	Jensen Beach Surgery Center Jensen Beach, Florida
3/05 - 5/06	Agency Nurse	Intelistaff (Sierra Medical) El Paso, Texas
2/07 - Unknown	Marketing Manager	Fayetteville Pain Management Fayetteville, North Carolina

5. On September 27, 2007, the Board accepted the voluntary surrender of Petitioner's license to practice vocational nursing in the State of Texas. A copy of the September 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 September 3, 2015, 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 May 2015, from Carla Adkins, Rph, Fayetteville, North Carolina, stating she has known Petitioner professionally and personally for the last five (5) years. She describes Petitioner as compassionate, professional, honest, ambitious, bright, caring and conscientious. Among her strengths, determination. Ms. Adkins points this out because since she has known Petitioner she obtained her Bachelors in Psychology with a minor in Sociology and then a Master's Degree in Business and Healthcare Administration. Petitioner is very involved in her community volunteering for Army Community Service and fostering for the Great Dane Rescue League. As a professional Pharmacist, Ms. Adkins states she knows the signs of drug seekers and she has 15 years of being exposed to people who are impaired and she has never seen Petitioner exhibiting those signs or actions. It is her belief that Petitioner is clear minded and safe to practice nursing again.

- 7.2. Letter of support, dated January 2015, from Jamie May, LCSW, Curo Healthcare of the Carolinas, stating she and Petitioner have known each other since working at Highland House Rehabilitation & Healthcare and during their business relationship they developed a strong personal friendship. Ms. May has been employed with Community Home Health & Hospice for twelve (12) years and part of her professional assessment is to be alert to the signs of impairment. Petitioner has never, in her presence, been intoxicated or otherwise impaired. Ms. May believes Petitioner is safe to practice in any medical capacity because she is a great patient advocate.
- 7.4. Letter of support, dated November 2013, from Shelly J. Weisheipl, CNM, MSN, stating she had the pleasure of working with Petitioner at Planned Parenthood of Central North Carolina as the Primary Patient care giver. At that time Petitioner was her immediate supervisor and manager for the Health Center. Ms. Weisheipl believes Petitioner is not only incredibly organized and detail oriented, but highly motivated by challenging situations. In addition to her strong work ethic and skills as a manager, her positive attitude and energy that she brought to the team was encouraging and infectious.
- 7.5. Letter of support, dated September 1, 2009, from Janet M. Murphy, RN, Former Director of Nursing, Highland House of Fayetteville, Clayton, North Carolina, stating as the DON at Highland House Rehabilitation, she had daily interaction with Petitioner in her position as Admissions Director. Petitioner is professional, efficient, organized and extremely knowledgeable. Her ability to motivate other team members clearly showed her mature team fostering skills. Ms. Murphy states Petitioner has the education, experience and drive to succeed in any pursuit she approaches.
- 7.6. Documentation of the required continuing education contact hours.
8. The Executive Director considered evidence of Petitioner's past behavior in light of the character factors set out in 22 Tex. Admin. Code §213.27 and determined that Petitioner currently demonstrates the criteria required for good professional character and relicensure.
9. Licensure of Petitioner poses no direct threat to the health and safety of patients or the public provided Petitioner complies with the stipulations outlined in this Order.
10. The Executive Director's review of Petitioner's eligibility for relicensure has been made on the basis of Petitioner's disclosures.

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.
3. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Tex. Admin. Code §213.27, and pursuant to 22 Tex. Admin. Code §213.33, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
4. This Order is conditioned upon the accuracy and completeness of Petitioner's disclosures. Any subsequently discovered discrepancies will result in investigation and possible disciplinary action, up to revocation of Petitioner's license(s).

TERMS OF ORDER

I. REINSTATEMENT OF LICENSURE

IT IS THEREFORE AGREED and ORDERED, subject to ratification by the Texas Board of Nursing, that the petition of CATHERINE SCOTT VITALE for reinstatement of license to practice nursing in the state of Texas be **GRANTED** and Vocational Nurse License Number 198181, is hereby **REINSTATED** in accordance with the terms of this Order.

II. COMPLIANCE WITH LAW AND APPLICABILITY

While under the terms of this Order, PETITIONER agrees to obtain, read, and 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.

- A. This Order SHALL be applicable to PETITIONER's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- B. PETITIONER 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 PETITIONER wishes to work.

III. **REQUIREMENTS FOR VOCATIONAL NURSING REFRESHER COURSE, EXTENSIVE ORIENTATION, OR NURSING PROGRAM OF STUDY IN VOCATIONAL NURSING**

Prior to practicing as a vocational nurse in the State of Texas, PETITIONER SHALL:

- A. **Apply for a Six Month Temporary Permit to Complete Refresher Course, Extensive Orientation, or Nursing Program of Study in Vocational Nursing** for the limited purpose of completing a refresher course, extensive orientation, or nursing program of study in vocational nursing. The application for the Six Month Temporary Permit is available on the Board's website (www.bon.texas.gov) under Forms / Applications / Six Month Permits / LVN Six Month Limited Permit. PETITIONER SHALL NOT, in any way, attempt to use the temporary permit for any purpose other than completing the refresher course, extensive orientation, or nursing program of study in vocational nursing.
- B. **Successfully complete a Board approved refresher course, extensive orientation, or nursing program of study for vocational nursing. Petitioner MUST obtain Board approval of the nursing refresher course, extensive orientation, or nursing program, as applicable, prior to enrollment.**
In order for the course to be approved:
- (1) The target audience shall include vocational nurses;
 - (2) The course instructor must be a qualified registered nurse who meets or exceeds the Board's minimum criteria for eligibility as an instructor;
 - (3) The course's content shall, at a minimum, include:
 - (a) Review of NPA, Rules, Position Statements;
 - (b) Determination of Individual Scope of Practice and role in patient safety;
 - (c) Review of the clinical problem solving process for the provision of individualized, goal directed nursing care to include: (i) Collecting data & performing focused nursing assessments; (ii) Participating in the planning of nursing care needs for clients; (iii) Participating in the development & modification of the comprehensive nursing care plan for assigned clients; (iv) Implementing appropriate aspects of care within the LVN's scope of practice; and (v) Assisting in the evaluation of the client's responses to nursing interventions and the identification of client needs;

- (d) Pharmacology review;
 - (e) Medication administration;
 - (f) Documentation, quality assurance, and legal implication for nursing practice; and
 - (g) Documentation of current CPR certification prior to beginning precepted clinical learning experience; and
- (4) The course must contain no less than a total of 80 hours of clinical practice providing direct patient care precepted by a qualified registered or vocational nurse. Home study courses and video programs will not be approved.

- C. **Upon completion of the refresher course, extensive orientation, or nursing program of study for vocational nursing**, PETITIONER SHALL return the temporary permit to the Board's office 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 80 hours of precepted clinical practice.
- D. **Upon verification of successful completion of the conditions** as set out in Paragraphs A through C of this Section, PETITIONER SHALL submit a completed License Reactivation Form for Vocational Nurses, which is available on the Board's website (www.bon.texas.gov) under Forms / Applications / Renewals / LVN - Reactivation form for a Licensed Vocational Nurse. PETITIONER shall pay all re-registration fees and, subject to meeting all other requirements for licensure in Texas, shall be issued the applicable license to practice vocational nursing in the State of Texas, which shall be subject to the terms of this Order.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, PETITIONER SHALL successfully complete the following remedial education course(s) **within one (1) year of relicensure, unless otherwise specifically indicated:**

- A. **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.

- B. 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/these course(s), PETITIONER 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. PETITIONER 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.*

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, PETITIONER must work as a nurse, providing direct patient care in a clinical healthcare setting, for a minimum of sixty-four (64) hours per month for eight (8) quarterly periods [two (2) years] of employment. This requirement will not be satisfied until eight (8) quarterly periods of employment as a nurse have elapsed. Any quarterly period without continuous employment with the same employer for all three (3) months will not count towards completion of this requirement. 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 period and will not count towards completion of this requirement.

- A. **Notifying Present and Future Employers:** PETITIONER SHALL notify each present employer in nursing and present each with a complete copy of this of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, PETITIONER SHALL notify all future employers in nursing and present each with a complete copy of this of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** PETITIONER SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. PETITIONER SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.

- C. **Direct Supervision:** For the first year [four (4) quarters] of employment as a Nurse under this Order, PETITIONER 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 PETITIONER and immediately available to provide assistance and intervention. PETITIONER SHALL work only on 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.
- D. **Indirect Supervision:** 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. 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.
- E. **Nursing Performance Evaluations:** 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 and these reports shall be submitted by the supervising nurse to the office of the Board at the end of each three (3) month quarterly period for twelve (12) quarters [three (3) years] of employment as a nurse.

VI. DRUG AND ALCOHOL RELATED REQUIREMENTS

- A. While under the terms of this Order, PETITIONER SHALL abstain from the use of alcohol, tramadol and all 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.

B. While working as a nurse under the terms of this Order, PETITIONER SHALL submit to random periodic screens for alcohol, tramadol, and controlled substances. The Board will provide instructions on how to enroll in the Board's drug and alcohol testing program following the entry of this Order and screening will begin when PETITIONER obtains employment and submits the Notification of Employment form to the Board.

- For the first three (3) month [1st quarter] period PETITIONER works as a nurse under the terms of this Order, random screens shall be performed at least once per week.
- For the next three (3) month [2nd quarter] period, random screens shall be performed at least twice per month.
- For the next six (6) month period [3rd & 4th quarters], 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) month quarterly period.

All random screens SHALL BE conducted through urinalysis. Screens obtained through urinalysis are the sole method accepted by the Board. Any test result for a period of time in which the PETITIONER is not working as a nurse under the terms of this Order will not count towards satisfaction of this requirement. 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. PETITIONER SHALL be responsible for the costs of all random drug screening during the stipulation period.

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 PETITIONER'S place of employment at any time during the probation period and require PETITIONER to produce a specimen for screening.

Consequences of Positive or Missed Screens. Any positive result for which PETITIONER does not have a valid prescription or refusal to submit to a drug or alcohol screen may subject PETITIONER to further disciplinary action, including TEMPORARY SUSPENSION pursuant to Section 301.4551, Texas Occupations Code, or REVOCATION of PETITIONER'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.

VII. COMPLIANCE WITH ARIZONA ORDER

Should the Arizona State Board of Nursing enter a substantially similar Order, evidence of compliance/completion with the terms of said Order of the Arizona State Board of Nursing, if any, will be accepted as evidence of compliance/completion of the terms of this Order issued by the Texas Board of Nursing.

VIII. RESTORATION OF UNENCUMBERED LICENSE(S)

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.

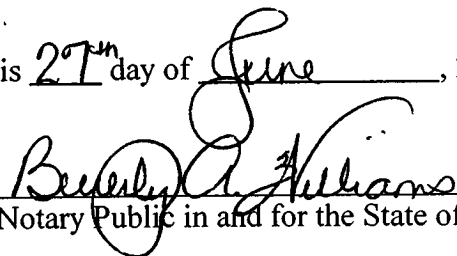
Signed this 27 day of June, 2016



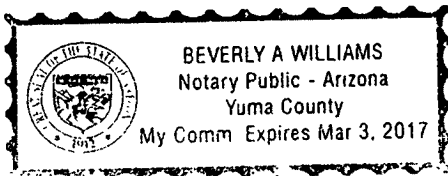
CATHERINE SCOTT VITALE, Petitioner

Sworn to and subscribed before me this 27th day of June, 2016.

SEAL



Notary Public in and for the State of ARIZONA



WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 27th day of June, 2016, by CATHERINE SCOTT VITALE, Vocational Nurse License Number 198181, and said Order is final.

Effective this 9th day of August, 2016.



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 Nurse License Number 198181 § AGREED
issued to CATHERINE SCOTT VITALE § ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 198181, issued to CATHERINE SCOTT VITALE, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived 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 notice and hearing, and agreed to the entry of this Order.
3. Respondent holds a license to practice vocational nursing in the State of Texas which is in Delinquent status.
4. Respondent received a Certificate in Vocational Nursing from St. Joseph's Hospital, Nashua, New Hampshire, on March 22, 1994. Respondent was licensed to practice vocational nursing in the State of Texas on April 19, 2005.

5. Respondent's vocational nursing employment history includes:

03/05 - 06/05	Staff Nurse	Sierra Medical Center El Paso, Texas
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Respondent's vocational nursing employment history (continued):

06/05 - 11/05	Agency Nurse	InteliStaf Healthcare, Inc. El Paso, Texas
11/05 - Present	Unknown	

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Sierra Medical Center, El Paso, Texas, and had been in this position for approximately two (2) months.
7. On or about May 1, 2005 through May 27, 2005, while employed at Sierra Medical Center, El Paso, Texas, Respondent withdrew twenty-one hundred (2100) milligrams of Meperidine and forty-eight (48) milligrams of Morphine from the medication dispensing system for patients, but failed to completely and accurately document the administration of the medications in the patients' Medication Administration Records (MARs), Nurse's Notes, or both, and failed to document the wastage of medications in narcotic administration records. Respondent's conduct was likely to injure the patients in that subsequent caregivers would rely on her documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).
8. On or about May 1, 2005 through May 27, 2005, while employed at Sierra Medical Center, El Paso, Texas, Respondent withdrew and/or administered Meperidine and Morphine from the medication dispensing system for patients in excess frequency and/or dosage of the physicians' orders. Respondent's conduct was likely to injure the patients in that the administration of Meperidine and Morphine in excess frequency and/or dosage of a physician's order could result in the patients suffering from adverse reactions.
9. On or about November 9, 2005 through November 18, 2005, while employed with InteliStaf Healthcare, Inc., El Paso, Texas, Respondent withdrew sixteen hundred twenty-five (1625) milligrams of Meperidine from the medication dispensing system (Accudose) for patients, but failed to completely and accurately document the administration of the medications in the patients' Medication Administration Records (MARs), Nurse's Notes, or both, and failed to document the wastage of medications in narcotic administration records. Respondent's conduct was likely to injure the patients in that subsequent caregivers would rely on her documentation to further medicate the patients, which could result in an overdose. Additionally, Respondent's conduct was likely to deceive the hospital pharmacy and placed them in violation of Chapter 481 of the Texas Health and Safety Code (Controlled Substances Act).

10. On or about November 9, 2005 through November 18, 2005, while employed with IntelliStaf Healthcare, Inc., El Paso, Texas, Respondent withdrew Meperidine from the medication dispensing system (Accudose) for patients in excess frequency and/or dosage of the physicians' orders. Respondent's conduct was likely to injure the patients in that the administration of Meperidine in excess frequency and/or dosage of a physician's order could result in the patients suffering from adverse reactions.
11. Formal Charges were filed on September 18, 2006.
12. Formal Charges were mailed to Respondent on September 20, 2006.
13. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice vocational 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 interperate use of controlled substances or chemical dependency.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Section 301.452(b)(10)&(13), Texas Occupations Code; 22 TEX. ADMIN. CODE §217.11(1)(A),(C)&(D); and 22 TEX. ADMIN. CODE §217.12(1)(B),(4),(10)(B)&(C)&(11)(B).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 198181, heretofore issued to CATHERINE SCOTT VITALE, including revocation of Respondent's license to practice vocational nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.

6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 198181, heretofore issued to CATHERINE SCOTT VITALE, to practice vocational 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 CATHERINE SCOTT VITALE, 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; 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 privilege, if any, to practice vocational nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

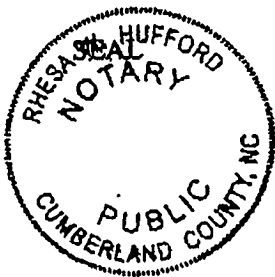
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 19 day of Sept, 2007.



CATHERINE SCOTT VITALE, Respondent

Sworn to and subscribed before me this 19 day of Sept, 2007.





Notary Public in and for the State of NC
Commission Expires: Sept 09, 2012

Approved as to form and substance.



TARALYNN R. MACKAY, Attorney for Respondent

Signed this 13th day of September, 2007

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 198181, previously issued to CATHERINE SCOTT VITALE.

Effective this 24th day of September, 2007.



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