

4. Petitioner's professional nursing employment history includes:

6/97 - 8/01	LVN/RN	Baylor University Medical Center Dallas, Texas
7/01 - 10/05	Agency Nurse	Staff Search Dallas, Texas
10/01 - 2/02	Staff Nurse	Medical City Dallas Dallas, Texas
3/02 - 4/03	Unknown	
5/03 - 7/03	Agency Nurse	Xceptional Nurses Dallas, Texas
8/03 - 11/05	Unknown	
12/05 - 8/07	Agency Nurse	Pro Touch Agency Dallas, Texas
9/06 - 10/07	Staff Nurse	Heritage Manor Dallas, Texas
8/05 - present	Not employed in nursing	

5. On October 22, 2007, the Board of Nurse Examiners for the State of Texas accepted the voluntary surrender of Petitioner's licenses to practice vocational and professional nursing in the State of Texas. A copy of the October 22, 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 May 13, 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.

- 7.2.
- 7.3. Letter of support, dated November 30, 2009, from David Nesser, MD, Dallas Transplant Institute, Dallas, Texas, states he has known Petitioner over twenty (20) years. She is very professional and provides good nursing care. She is a compassionate and caring person that has always been honest and truthful with no reason to doubt. Dr. Nesser believes Petitioner is an asset to the nursing profession.
- 7.4. Letter of support, dated November 30, 2009, from Richard M. Dickerman, MD, Methodist Medical Center, Dallas, Texas, states he would like to recommend Petitioner who has been a nurse at Methodist Medical Center in the ICU for several years. She has performed in an excellent manner and has demonstrated good relationships with the staff and the patients. Petitioner has also contributed in working toward transplantation goals in the hospital.
- 7.5. Letter of support, dated November 29, 2009, from Corey Byrd, states he has known Petitioner for over two (2) years, and during this time he has developed a friendship and a great deal of respect for her and her family. Petitioner has always presented herself as a loving mother, and grandmother. Over the last few years, Mr. Byrd has watched her sacrifice everything for her family. Her commitment to taking care of her family and the constant love she shows for them is hard to describe. Petitioner has also been very helpful to Mr. Byrd in watching his children also. Although Mr. Byrd has only known Petitioner for a couple of years, he trusts her completely and feels blessed that she has entered his life.
- 7.6. Letter of support, dated November 29, 2009, from Cheryl McRae, Protouch Staffing, states she has worked with Petitioner as a Recruiter/Scheduler and On-Call Specialist with Protouch Staffing since 2004. Petitioner worked with them until August 2007, and was always very dependable and trustworthy. She was always honest and up-front about any situation, and Ms. McRae never doubted her word. Ms. McRae personally believes that Petitioner deserves to have her nursing license reinstated.
- 7.7. Documentation of twenty (20) Type 1 contact hours.

CONCLUSIONS OF LAW

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

ORDER

IT IS THEREFORE AGREED, subject to ratification by the Texas Board of Nursing, that the petition of VERONICA (LINDSEY) WINKLER, Vocational Nurse License Number 161084, and Registered Nurse License Number 657430, to practice vocational and 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 vocational and professional nursing in the State of Texas

IT IS FURTHER AGREED and ORDERED that while Petitioner's licenses are 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 State of Texas and the Board of Nursing in the party state where Petitioner wishes to work.

(1) PETITIONER SHALL NOT seek employment or practice nursing for compensation until she has paid all re-registration fees and is issued a license to practice nursing in the State of Texas. Said licenses issued to VERONICA (LINDSEY) WINKLER, 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.state.tx.us/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 ONE (1) YEAR OF EMPLOYMENT. THE LENGTH OF THE PROBATION PERIOD WILL BE EXTENDED UNTIL SUCH TWELVE (12) MONTHS HAVE ELAPSED. PERIODS OF UNEMPLOYMENT OR OF EMPLOYMENT THAT DO NOT REQUIRE THE USE OF A VOCATIONAL NURSE (LVN) OR REGISTERED NURSE (RN) LICENSE WILL NOT APPLY TO THIS PROBATION PERIOD:

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

(4) 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.

(5) For the duration of the stipulation period, RESPONDENT SHALL be supervised by a Registered Nurse who is on the premises. The supervising nurse is not required to be on the same unit or ward as RESPONDENT, 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 Respondent is currently working. RESPONDENT SHALL work only regularly assigned, identified and predetermined unit(s). RESPONDENT SHALL NOT be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency. RESPONDENT SHALL NOT be self-employed or contract for services. Multiple employers are prohibited.

(6) RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT's capability to practice nursing. These reports shall be completed by the Registered Nurse who supervises the RESPONDENT. 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 one (1) year of employment as a nurse.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from PETITIONERS's license and PETITIONER shall be eligible for multistate licensure privileges, if any, to practice 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 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 professional nursing in the state of Texas. I understand that if I fail to comply with all terms and conditions of this Order, my licenses to practice vocational and professional nursing in the State of Texas will be revoked, as a consequence of my noncompliance.

Signed this 22 day of December, 2009.
Veronica Lindsey Winkler
VERONICA (LINDSEY) WINKLER, Petitioner

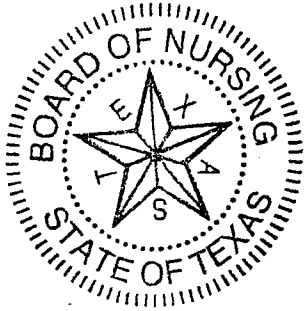
Sworn to and subscribed before me this 22nd day of December, 2009.

SEAL




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

WHEREFORE, PREMISES CONSIDERED, the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Reinstatement Agreed Order that was signed on the 22nd day of December, 2009, by VERONICA (LINDSEY) WINKLER, Vocational Nurse License Number 161084, and Registered Nurse License Number 657430, and said Order is final.



Effective this 21st day of January, 2010.


Katherine A. Thomas, MN, RN
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.
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of Registered Nurse License Number 657430 § AGREED
and Vocational Nurse License Number 161084 §
issued to VERONICA (LINDSEY) WINKLER § ORDER

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 657430 and Vocational Nurse License Number 161084, issued to VERONICA (LINDSEY) WINKLER, 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 is currently licensed to practice professional nursing in the State of Texas and holds a license to practice vocational nursing in the State of Texas which is currently in delinquent status.
4. Respondent received a Certificate in Vocational Nursing from El Centro College, Dallas, Texas, on December 10, 1996. Respondent was licensed to practice vocational nursing in the State of Texas on January 14, 1997. Respondent received an Associate Degree in Nursing from El Centro College, Dallas, Texas, on December 1, 1998. Respondent was licensed to practice professional nursing in the State of Texas on January 26, 1999.
5. Respondent's complete vocational and professional nursing employment history is unknown.

6. On or about May 17, 1978, Respondent entered a plea of Guilty and was convicted of the Misdemeanor offense of THEFT - INSUFFICIENT CHECKS, in the Criminal County Court No. 6 of Dallas County, Texas, under Cause No. M-7800712G. As a result of the conviction, Respondent was sentenced to the county jail for one (1) day and Respondent was ordered to pay a fine in the amount of twenty-five dollars (\$25), and court costs.
- 7.
- 8.
9. On or about December 28, 2006, Respondent submitted a Texas Online Renewal Document for Registered Nurses to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the following question:

“Have you been convicted, placed on community supervision whether or not adjudged guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, or received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrests whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudications with or without a finding of guilt. Please note that DUIs, DWIs, and PIs must be reported and are not considered minor traffic violations. One time minor in possession [MIP] or minor in consumption [MIC] does not need to be disclosed; therefore, you may answer “No.” If you have two or more MIPs or MICs, you must answer “Yes.” You may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form.”

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

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violations of Article 4528c, sec. 10(a)(3), TEX. REV. CIV. STAT., Article 4525(b)(3), TEX. REV. CIV., STAT. ANN., and Section 301.452(b)(2),(3)&(10)(effective September 28, 2005), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §§239.11(29)(A)(iii), 217.13(1), and 217.12(6)(H)&(I)&(13)(effective September 28, 2004).
4. The evidence received is sufficient cause pursuant to Section 301.453(d), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 657430 and Vocational Nurse License Number 161084, heretofore issued to VERONICA (LINDSEY) WINKLER, including revocation of Respondent's professional and vocational license to practice 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 Registered Nurse License Number 657430 and Vocational Nurse License Number 161084, heretofore issued to VERONICA (LINDSEY) WINKLER, to practice nursing in the State

of Texas, is accepted by the Board of Nurse Examiners. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-sized licenses, heretofore issued to VERONICA (LINDSEY) WINKLER, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional or vocational nursing, use the title "registered nurse" or "vocational nurse" or the abbreviations "RN" or "LVN" or wear any insignia identifying herself as a registered nurse or vocational nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse or vocational nurse during the period in which the licenses are surrendered.
3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
4. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate privilege, if any, to practice nursing in the State of Texas.

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RESPONDENT'S CERTIFICATION

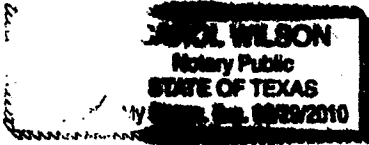
I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid 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 17 day of October, 2007.

Veronica Lindsey Winkler
VERONICA (LINDSEY) WINKLER, Respondent

Sworn to and subscribed before me this 17th day of October, 2007.

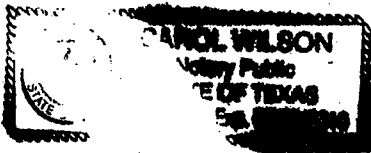
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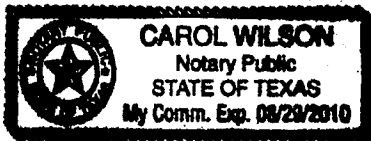
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Notary Public in and for the State of Texas

Approved as to form and substance.

RYAN M. GRANT, Attorney for Respondent



Signed this _____ day of _____, 20____.



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of Registered Nurse License Number 657430 and Vocational Nurse License Number 161084, previously issued to VERONICA (LINDSEY) WINKLER.

Effective this 22nd day of October, 2007.



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