



BOARD OF VOCATIONAL NURSE EXAMINERS

333 GUADALUPE STREET, SUITE 3-400

AUSTIN, TEXAS 78701

(512) 305-8100

December 18, 2002

KIMIE GALE HAGGARD
829 PARK PLAZA, APT 222
AUSTIN TX 78753

Dear Applicant:

Your Application for Licensure has been referred for investigation due to your acknowledgment of:

- felony conviction(s)
- misdemeanor conviction(s)
- psychiatric episodes
- intemperate use of drugs
- intemperate use of alcohol
- disciplinary action against your nursing license in the State of Oklahoma.

We have initiated an investigation into this matter to determine if you have violated any of the provisions of the Texas Occupations Code, Chapter 302. We are affording you the opportunity to respond to this matter and show compliance with all requirements of law, i.e., Texas Occupations Code, Chapter 302, for the issuance of a license to practice vocational nursing in the State of Texas.

We have enclosed Order Forms for a copy of the Texas Occupations Code, Chapter 302 and Rules and Regulations.

It will be necessary for you to submit the following documentation (and any other documentation listed, but not specified, if applicable to your particular situation).

- X Written explanation or response.
- X Certified copies of the Complaint, Information or Indictment, Judgments(s) of Conviction, Sentence, Order(s) of Probation and Order(s) Revoking Probation (if applicable), and Dismissal or Discharge of criminal charges concerning the conviction of Assault with Bodily Injury on October 20, 1999 in Williamson County.

Your prompt response will facilitate the investigation. All correspondence should be addressed to the "Board of Vocational Nurse Examiners" and reference "Dear Board Members".

Also, please note that completion of your application is pending receipt of documents requested in your application packet. All questions relating to the application packet should be directed to the Education Division.

Pursuant to Board Rule 235.17 (e), **temporary permits are not issued to applicants under investigation.**

Contact the Enforcement Division only if you have questions concerning the information/documents requested. Notification of the disposition of the investigation will be sent to you by letter at a later date. ***DO NOT TELEPHONE THE BOARD OFFICE TO INQUIRE ABOUT THE STATUS OF THE INVESTIGATION AS THIS ONLY DELAYS THE PROCESSING OF YOUR CASE FILE.***

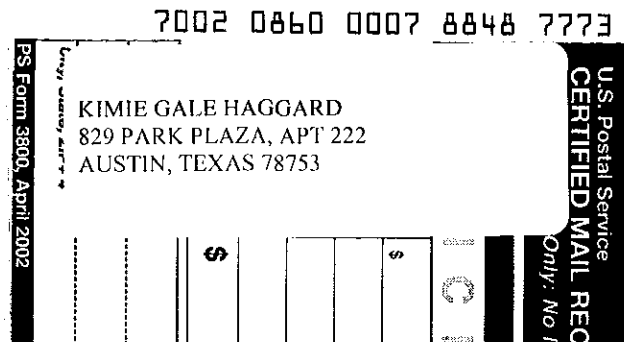
Sincerely,



Shelly Johnson, LVN
Investigator

Enclosure: Exam/Endorsement Information Sheet and Order Forms

(Certified Mail - RRR)





BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
(512) 305-8100

June 2, 2003

KIMIE HAGGARD
829 PARK PLAZA NO. 222
AUSTIN TX 78753

Dear Ms. Haggard:

Our Licensing Division has notified us that you have been issued a license to practice vocational nursing in the State of Texas.

By Order of the Board, your license is placed on probation, effective June 2, 2003 through December 2, 2003.

It is stipulated that you pay a probation monitoring fee in the amount of thirty (\$30.00) dollars on a quarterly basis on the 15th of each quarter on the following dates to-wit:

September 15, 2003
December 15, 2003

It is your responsibility to insure that you comply with all stipulations outlined in your Board Order, and that you submit all requested reports on time, and without reminders.

If you have any questions concerning compliance with this Board Order, please contact me Tuesday through Friday, 8:00a.m. – 5:00p.m., at 512/305-7667.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Probation Monitor, Enforcement Division

Enclosure: Probation Documentation
/ch



BOARD OF VOCATIONAL NURSE EXAMINERS

333 GUADALUPE STREET, SUITE 3-400

AUSTIN, TEXAS 78701

(512) 305-8100

March 7, 2003

KIMIE G. HAGGARD
829 PARK PLAZA, NO #222
AUSTIN, TEXAS 78753

Dear Ms. Haggard:

The enclosed Agreed Board Order has been ratified by the Board of Vocational Nurse Examiners, and it is now in effect.

After you are licensed, our Enforcement Division will send you additional information concerning the reports or documentation required during the course of your probation.

If you have any questions concerning this matter, please contact the Enforcement Division.

Sincerely,

A handwritten signature in cursive script that reads "Terrie L. Hairston".

Terrie L. Hairston, R.N., C.H.E.,
Executive Director

SJ/cd

Enclosure: Agreed Board Order

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS.

KIMIE G. HAGGARD

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§
§

STATE OF TEXAS

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners the matter of KIMIE G. HAGGARD, an Applicant for Licensure by endorsement hereinafter called Applicant.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Applicant of its intent to take disciplinary action with respect to said Application for Licensure, as a result of a subsequent investigation. Said investigation produced evidence indicating that Applicant has been convicted of a crime of the grade of a misdemeanor that relates to the practice of vocational nursing and/or involves moral turpitude, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (3) (B), in the following manner:

I.

a. On or about September 3, 2002, Applicant submitted her Application for Licensure by Examination to the Board of Vocational Nurse Examiners for the State of Texas. On said Application, Applicant answered "yes" to the question asking: "Have you ever been convicted of a misdemeanor other than a minor traffic violation?" On said Application, Applicant answered "no" to the question asking: "Have you ever had disciplinary action against your nursing license?" but enclosed evidence of disciplinary action by the Oklahoma Board of Nursing.

b. On September 15, 2000, Applicant was convicted of the Misdemeanor Offense of: DRIVING WHILE INTOXICATED – 2ND, in the County Court at Law #1 in Williamson County, Texas, under Cause Number 9963581. As a result of said conviction, Applicant was sentenced to 15 days of incarceration and probation for a period of 24 months.

AGREED BOARD ORDER
RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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c. On September 15, 2000, Applicant was convicted of the Misdemeanor Offense of Assault Bodily Injury of Family Member in the County Court at Law # 1 in Williamson County, Texas under Cause Number 9951601. As a result of said conviction, Applicant was sentenced to 30 days of incarceration concurrent with Cause Number 9963581.

d. On December 17, 1996, Applicant was convicted of the Misdemeanor Offense of Count I, Driving While Under the Influence of Intoxicating Liquor, Count II, Attempting to Elude, and Count III, Unlawful Possession of Marijuana in Case Number CM-96-591 in the District Court For Stephens County, State of Oklahoma. As a result of said conviction, Application was given a one (1) year deferred sentence for Count I, was placed on probation, and was fined \$200.00 for Count II, and received a one (1) year deferred sentence for Count III, and was placed on probation.

e. On May 28, 1997, an Application for Imposition of Judgment and Sentence was filed in Case Number CM-96-591, alleging a probation violation in that Applicant committed an offense of Intoxication, in the District Court For Stephens County, State of Oklahoma. As a result of said application, a hearing was conducted on November 24, 1997 resulting in a sentence of 30 days of confinement.

f. Applicant has been convicted of crimes, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said convictions are inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires knowledge and familiarity of drugs, and compliance with drug laws.

g. On or about July 1, 1997, Applicant's license to practice licensed practical nursing in the State of Oklahoma lapsed. On or about September 24, 1997, the Oklahoma Board of Nursing denied Applicant's Application for Reinstatement based on the foregoing criminal convictions and the need for proof of sobriety.

By Applicant's signature on this Order, Applicant neither admits nor denies the truth of the matters previously set out in this Order with respect to the above mentioned investigation. By Applicant's signature on this Order, Applicant acknowledges that they have read and understood this Order and have approved it for consideration by the Board.

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RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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By their notarized signature on this Order, Applicant does hereby waive the right to a formal Complaint, Notice of Hearing, and a Public Hearing held before an Administrative Law Judge with the State Office of Administrative Hearings, and to judicial review of this disciplinary action. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, subject to ratification by the Board of Vocational Nurse Examiners that KIMIE G. HAGGARD, an Applicant for Licensure by Endorsement be, and same is hereby granted licensure as a vocational nurse in the State of Texas, upon meeting all requirements for endorsement. It is furthered ordered that, Applicant must provide proof of completion of a Chemical Dependency Program and Alcoholics Anonymous (A.A.) attendance within the two (2) past years. Upon receipt of said documented evidence of program completion, Said license shall be suspended, with said suspension stayed and placed on probation for a period of six (6) months.

The probation of said license is subject to the following stipulations, to wit:

1. That if Applicant's place of employment, name, address or telephone number changes, Applicant is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said Notification shall be in the form of a written letter or report.
2. That Applicant shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code and Rules and Regulations of the Board.

AGREED BOARD ORDER
RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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3. That Applicant shall not practice nursing in a Nurse Licensure Compact remote state without obtaining prior written authority of both the BVNE and the Board of Nursing of the remote state.

4. That any period(s) of nursing unemployment must be documented in writing by Applicant and submitted to the Board office.

5. That Applicant shall work only under the supervision of a licensed medical professional (M.D., R.N., L.V.N.) who is physically present on the work premises during Applicant's shift assignment(s), throughout the term of probation.

6. That Applicant shall not be employed by a nurse registry, temporary nurse employment agency, home health agency, or as a private duty nurse, throughout the term of probation.

7. That Applicant shall through the Board's agent (NCPS, Inc.), submit to random blood alcohol drug screens.

8. That Applicant shall be responsible daily for telephoning NCPS, Inc., Voice Response (VR) at 1-800-580-1099. That said drug screen shall be administered through the policies and procedures of the National Confederation of Professional Services, Inc., (NCPS, Inc.), utilizing LabCorp facilities. That said drug-screening panel shall consist of the following:

Alcohol (Ethanol)	Cannabinoids	Methaqualone
Amphetamines	Cocaine	Opiates
Barbiturates	Meperidine	Phencyclidine
Benzodiazepines	Methadone	Propoxyphene

Said screen(s) shall be properly monitored with adherence to chain of custody procedures. A positive result shall be legally confirmed by Gas Liquid Chromatography/Mass Spectrometry (GCMS). The results of said screen(s) shall be submitted directly to the Board office by the laboratory. The expense of said screen(s) shall be borne by Applicant. Any report of failure to contact NCPS, Inc., and/or a positive drug screen for which the Applicant does not have a valid prescription, will be regarded as non-compliance with the terms of this Order and may subject the Applicant to further disciplinary action by the Board.

9. That Applicant shall successfully complete nursing program course(s) encompassing the following areas of study: **Nursing Refresher** (at least 6 weeks in length, to include a Clinical Rotation), and Supervised Employment in accordance with Rule 235.48 (c), submit documentation of successful course completion and supervised employment reports to the Board office within the first six (6) months of probation. Applicant shall be responsible for locating said course(s) and obtaining prior written approval of Board staff prior to committing to said course(s). Said course(s) shall be

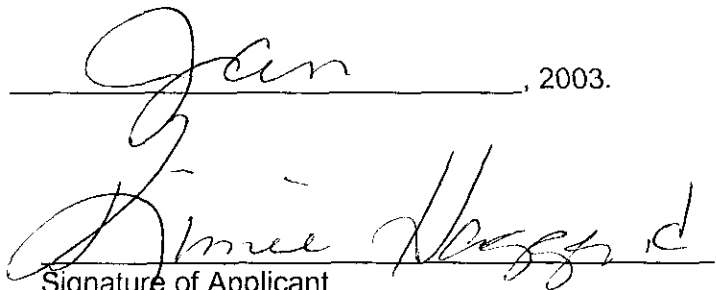
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RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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through correspondence (through a recognized provider), in-house at a community college, university or nursing program, and/or tutored by a state approved, licensed nursing program faculty member. The expense of said course(s) shall be borne by Applicant. Failure to successfully complete said course(s) within the time frame stipulated, shall be considered a violation of probation.

10. That Applicant pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter, commencing the quarter following the date of the Board's ratification of the Order, and continuing thereafter until the successful completion of Applicant's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Applicant to make any quarterly payment on time shall constitute a violation of Probation.

11. That Applicant shall return their license to the Board office for a replacement license marked "**PROBATION**" and pay a license re-issue fee in the amount of twenty (\$20.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said return of license and fee shall be made not later than thirty (30) days following the date of the Board's ratification of the Agreed Board Order. Said license and fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Applicant to return said license or pay said fee shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 13th day of Jan, 2003.

Signature of Applicant

AGREED BOARD ORDER
RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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829 Park Plaza Apt 222
Current Address

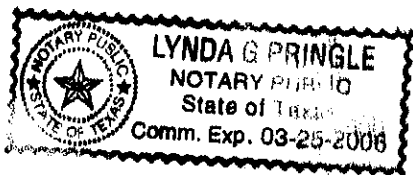
Austin, Texas 78753
City, State and Zip

512, 836-8197
Area Code and Telephone Number

The State of Texas
County of Texas

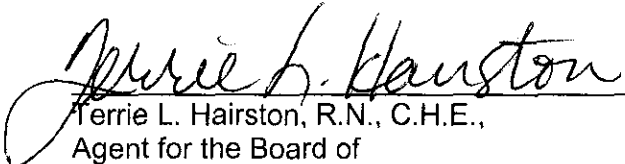
Before me, the undersigned authority, on this day personally appeared KIMIE G. HAGGARD, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 13th day of January, 2003.



Lynda G. Pringle
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS


AGREED BOARD ORDER
RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the
04 day of MAR, 2003.



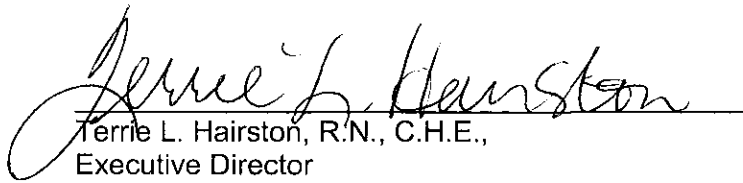


NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

BOARD ORDER
RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 13th day of January, 2003 by KIMIE G. HAGGARD, Applicant and that Said Order is Final.

Effective this 4th day of March, 2003.

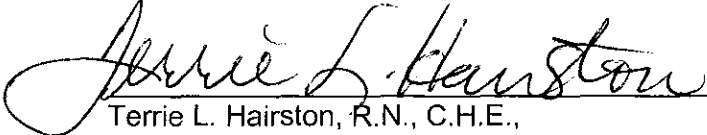

Terrie L. Hairston, R.N., C.H.E.,
Executive Director
On Behalf of Said Board

BOARD ORDER
RE: KIMIE G. HAGGARD, ENDORSEMENT APPLICANT
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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of March, 2003, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail first class mail, and addressed to the following person(s):

KIMIE G. HAGGARD
829 PARK PLAZA, NO #222
AUSTIN, TEXAS 78753


Terrie L. Hairston, R.N., C.H.E.,
Executive Director
Agent for the Board of Vocational Nurse Examiners



BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
(512) 305-8100

December 19, 2003

KIMIE HAGGARD
2314 WHITLOW COVE
ROUND ROCK TX 78761

Dear Ms. Haggard:

You have successfully completed your term of probation as stipulated by the Board of Vocational Nurse Examiners.

All pertinent information will remain in your permanent records. We urge you in the future to promote and uphold the ethical standards a Licensed Vocational Nurse should practice.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Probation Monitor, Enforcement Division

/ch