

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS.

LIESHA DALE BAKER

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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 vocational nurse license number 172177 held by LIESHA DALE BAKER, hereinafter called Respondent.

By letter, the Board of Vocational Nurse Examiners sent preliminary notice to Respondent of its intent to take disciplinary action with respect to said license held by Respondent, as a result of a complaint and subsequent investigation. Said investigation produced evidence indicating that Respondent has engaged in unprofessional or dishonorable conduct that, in the Board's opinion, is likely to deceive, defraud, or injure the public, in violation of Texas Occupations Code, Chapter 302, Section 302.402 (a) (10), in the following manner:

I.

a. On or about October 28, 2002, the Board of Vocational Nurse Examiners received a written referral from the Texas Peer Assistance Program for Nurses (TPAPN), alleging that Respondent had been referred to TPAPN, by Angleton Danbury Medical Center, Angleton, Texas, on or about October 1, 2002, because Respondent had reported for duty smelling of alcohol. Furthermore, that Respondent had subsequently submitted to a blood alcohol test, and the result of said test was positive for alcohol. It was also reported that following her referral to TPAPN, Respondent was assessed and determined not to be appropriate for TPAPN participation.

II.

a. Respondent was employed as a licensed vocational nurse with Pulse Staffing, League City, Texas, from about September 1, 2001 to about October 1, 2002.

b. While so employed at said facility, and while on assignment to the Medical/Surgical Unit at Angleton Danbury Medical Center, Angleton, Texas, on or about October 1, 2002, Respondent reported to work with an odor of alcohol on her breath. Furthermore, Respondent was requested to submit to a reasonable suspicion/cause blood alcohol test, and the result of said test was positive for ETHYL ALCOHOL. Said facility subsequently referred Respondent to the Texas Peer Assistance Program for Nurses (TPAPN), for assistance.

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

By their notarized signature on this Order, Respondent 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 license number 172177, heretofore issued to LIESHA DALE

BAKER to practice vocational nursing in the State of Texas be, and the same is hereby suspended, with said suspension stayed and placed on probation for a period of one (1) year.

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

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent 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 Respondent shall comply with Federal State, and local laws, and all provisions of the Texas Occupations Code and Rules and Regulations of the Board.
3. That Respondent 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 by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.
5. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.
6. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. five.
7. That Respondent shall through the Board's agent (NCPS, Inc.), submit to random urine drug screens.
8. That Respondent 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:

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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 Respondent. Any report of failure to contact NCPs, Inc., and/or a positive drug screen for which the Respondent does not have a valid prescription, will be regarded as non-compliance with the terms of this order and may subject the Respondent to further disciplinary action by the Board.

9. That Respondent pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money 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 Respondent'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 Respondent to make any quarterly payment on time shall constitute a violation of probation.

10. That Respondent 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 Respondent 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.

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RE: LIESHA DALE BAKER, LVN #172177
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Dated this the 10th day of September, 2003.

Liesha Baker Davis

Signature of Respondent

4826 So. G St

Current Address

Alaire, Jr. 79605

City, State and Zip

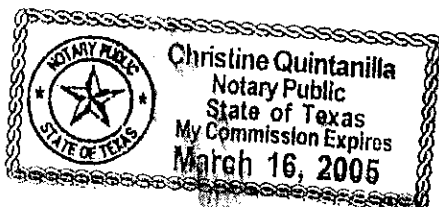
281 743-3008

Area Code and Telephone Number

The State of Texas
County of Galveston

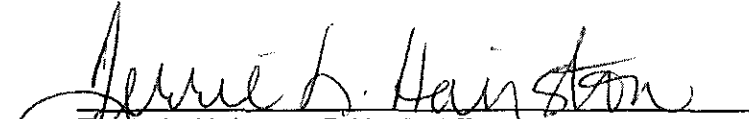
Before me, the undersigned authority, on this day personally appeared LIESHA DALE BAKER, who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

SWORN TO AND SUBSCRIBED before me on this the 10 day of September, 2003.



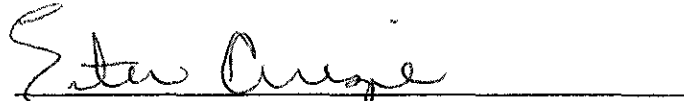
Christine Quintanilla
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

AGREED BOARD ORDER
RE: LIESHA DALE BAKER, LVN #172177
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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
15 day of October, 2003.

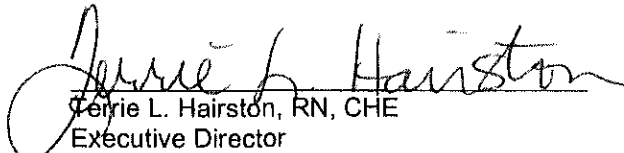



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THE STATE OF TEXAS

BOARD ORDER
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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 10th day of September, 2003 by Respondent, license number 172177 and that Said Order is Final.

Effective this 2nd day of December, 2003


Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board



Katherine A. Thomas, MN, RN
Executive Director

Board of Nurse Examiners For the State of Texas

Linda Rounds, PhD, FNP, RN
President

December 10, 2004

LIESHA BAKER
4826 S 6TH ST
ABILENE TX 79605-2649

Dear Ms. Baker:

Our file reflects that all requirements of the Order of the Board entered on December 2, 2003, have been met.

Please return your current wallet-sized license along with a copy of this letter. We will then issue you a license without the stipulated designation.

If you have any questions, please contact me at (512) 305-7667.

Sincerely,

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

Carolyn Hudson
Investigator
Monitoring

:ch

0994/160

BOARD OF VOCATIONAL NURSE EXAMINERS

333 GUADALUPE STREET, SUITE 3-400

AUSTIN, TEXAS 78701

(512) 305-8100

December 5, 2003

LIESHA BAKER
4826 S 6TH
ABILENE TX 79605

Dear Ms. Baker:

The enclosed Agreed Board Order has been ratified by the Board of Vocational Nurse Examiners, and it is now in effect. Your probation is subject to certain conditions as outlined in the Agreed Board Order.

The reports that are due from your nursing supervisor(s) on a **quarterly** basis are due on the following dates, to-wit:

March 2, 2004
June 2, 2004
September 2, 2004
December 2, 2004

It is also 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:

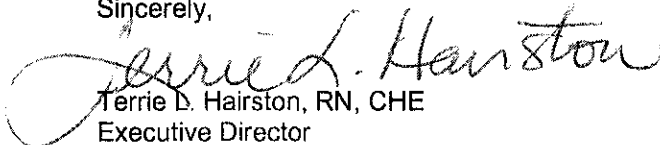
March 15, 2004
June 15, 2004
September 15, 2004
December 15, 2004

It is **your responsibility** to insure that the required reports are submitted to the Board office, on time, and without reminders.

Any period(s) of unemployment must be documented in writing and submitted directly to the Board office as stipulated in the Board Order. Non-compliance with this Order, or violation of the Texas Occupations Code, may result in a more severe sanction.

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

Sincerely,


Terrie D. Hairston, RN, CHE
Executive Director

TLH/ch

Enclosure: Agreed order and Probation Documentation