

BOARD OF VOCATIONAL  
NURSE EXAMINERS

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STATE OF TEXAS

VS.

BRENDA RENE HODGES

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 137352 held by BRENDA RENE HODGES, 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 July 16, 2002, Respondent submitted his License Renewal to the Board of Vocational Nurse Examiners for the State of Texas. On said License Renewal, Respondent answered "yes" to the question asking: "Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

b. On or about December 2, 1999, Respondent was convicted of the misdemeanor offense of DRIVING WHILE INTOXICATED in the County Court at Law in McLennan County, Texas, under Case No. 990873CR1. As a result of said conviction, Respondent was placed on probation for a period of two (2) years. On May 18, 2001, a motion was made to Revoke Probation. As a result of said motion, Respondent was fined in the amount of \$185.00 and sentenced to 60 days confinement in the county jail.

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c. On or about March 9, 2001, Respondent was convicted of the misdemeanor offense of DRIVING WHILE INTOXICATED in the County Court of Rockwall County, Texas, under Case No. CR00-1121. As a result of said conviction, Respondent served on a 90-day Work Release program.

d. On or about May 2, 2002, Respondent was convicted of the misdemeanor offense of DRIVING WHILE LICENSE SUSPENDED in the County Court at Law No. 4 of Collin County, Texas, under Case No. 4-86205-01. As a result of said conviction, Respondent was placed on probation for a period of one (1) year.

d. Respondent 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.

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** that license number 137352, heretofore issued to BRENDA RENE HODGES 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 any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office.
6. That Respondent shall attend a Chemical Dependency Support Group, (A.A./N.A.), and shall be responsible for causing his/her program sponsor 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.
7. That Respondent shall and hereby agrees to abstain from the consumption of Alcohol, Nubain, Stadol, Dalgan or other synthetic opiates, and/or use of unprescribed controlled substances. Any controlled or legend medication must be prescribed by a physician knowledgeable about the disease of addiction, as well as Respondent's

history, and it is incumbent upon Respondent to ensure such physician knowledge. If prescribed medication, RESPONDENT SHALL CAUSE the attending physician to submit a written report identifying the medication, dosage and the date the medication was prescribed. The report shall be submitted directly to the Board office by the prescribing physician, within ten (10) days of the date of the prescription.

8. That Respondent shall through the Board's agent (NCPS, Inc.), submit to random urine drug screens.

9. 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:

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.

10. That if Respondent is discharged from court ordered probation prior to completion of this probationary term, Respondent shall be responsible for causing his/her probation officer to submit a satisfactory report directly to the Board office.

11. 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 endorsement 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.

12. 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 endorsement 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.

Dated this the 07 day of January, 2003, 2002.

Brenda Rene Hodges  
Signature of Respondent

1204 S Birmingham # A  
Current Address

Wylie, TX 75098  
City, State and Zip

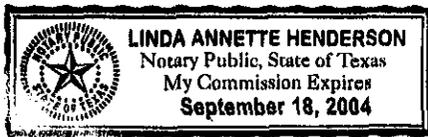
972, 429-1612  
Area Code and Telephone Number

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The State of Texas  
County of Collin

Before me, the undersigned authority, on this day personally appeared BRENDA RENE HODGES, 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.

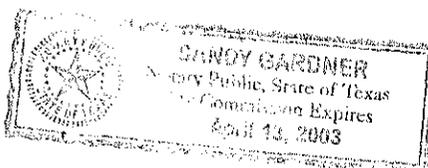
SWORN TO AND SUBSCRIBED before me on this the 7 day of JANUARY 2003, ~~2002~~



Linda Annette Henderson  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

Terrie L. Hairston  
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 30<sup>th</sup> day of January, 2003

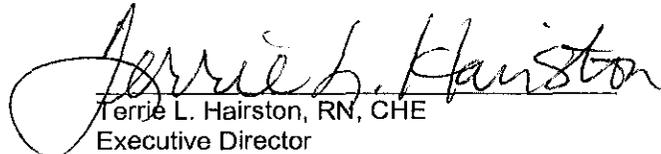


Sandy Gardner  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

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 7<sup>th</sup> day of January, 2003 by Respondent, license number 137352 and that Said Order is Final.

Effective this 4<sup>th</sup> day of March, 2003

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

**BOARD ORDER**

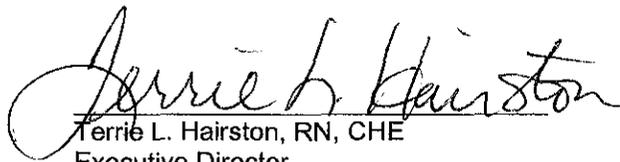
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> 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, and addressed to the following person(s):

BRENDA RENE HODGES  
1204 S. BIRMINGHAM NO. A  
WYLIE TX 75098



Terrie L. Hairston, RN, CHE  
Executive Director  
Agent for the Board of Vocational Nurse Examiners



## Board of Nurse Examiners For the State of Texas

Katherine Thomas, Linda Rounds, Marcelo Lajjas, Jr., Thomas Barton, Deborah Hughes Bell, Virginia Campbell, Lawrence Canfield, Blanca Rosa Garcia, Brenda Jackson, Phyllis Caves Rawley,  
MN, RN, PhD, RN, President, Vice-President, MSN, RN, Pampa, CLU, ChFC, Abilene, BSN, RN, CNOR, Masquite, MS, Ed, RN, CRNA, Temple, PhD, RN, Corpus Christi, PhD, RN, San Antonio, CPC, El Paso

March 16, 2004

BRENDA HODGES  
11025 VISTA DEL SOL NO. 2107  
EL PASO TX 79935

Dear Ms. Hodges:

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