



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.  
*Patricia A. Thomas*  
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

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In the Matter of Vocational Nurse License Number 135974           §       AGREED  
issued to SAMMY KAY FOLLOWELL   §       ORDER

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 135974, issued to SAMMY KAY FOLLOWELL, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, 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 representation by counsel, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice vocational nursing in the State of Texas.
4. Respondent received a Certificate in Vocational Nursing from Grayson County College on August 23, 1991. Respondent was licensed to practice vocational nursing in the State of Texas in December 1991.
5. Respondent's employment history is unknown.
6. On or about January 18, 2007, Respondent was charged with the offense of Possession Transport Chemical with Intent to Manufacture Controlled Substance, a 2nd Degree Felony, in the 15th District Court of Grayson County, Texas, Cause #55260-15. Proceedings were deferred without adjudication and Respondent was placed on one (1) year Intensive

Supervision and ten (10) years probation and ordered to pay a fine and court cost.

7. On or about January 18, 2007, Respondent was convicted of the offense of Possession of Marijuana, a Class B misdemeanor, in the County Court at Law #2, Grayson County, Texas, Cause #2007-2-88 CR. Respondent was sentenced to ninety (90) days in the county jail and ordered to pay court costs in the amount of \$216.
8. On or about February 4, 2008, Respondent submitted a written statement related to the preceding Findings of Fact, in which she stated, "On September 25, 2006, I was arrested for possession of marijuana and possession with intent to manufacture and transport chemicals. As for the Class B misdemeanor charge I pled guilty for one marijuana cigarette that was in my possession. I served a 90 day jail sentence for this offense. As for the Felony 2 charge I pled guilty by association and the fact that I was an addict, not a manufacturer. That is the reason I was given deferred adjudication. Initially I had tried methamphetamines for weight loss and also to try and understand why my youngest daughter had such a problem with its usage, only to find myself becoming more and more of an addict myself."
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender his/her license to practice nursing in the State of Texas.
10. 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.
11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate 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 a violation of Section 301.452(b)(3)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(11)(B)&(13).
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 135974, heretofore issued to SAMMY KAY FOLLOWELL, including revocation of Respondent's

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 Vocational License Number 135974, heretofore issued to SAMMY KAY FOLLOWELL, to practice 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 SAMMY KAY FOLLOWELL, 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 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 waive representation by counsel. 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 9<sup>th</sup> day of March, 2008

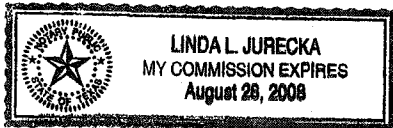
Sammy Kay Followell  
SAMMY KAY FOLLOWELL, Respondent

Sworn to and subscribed before me this 10 day of March, 2008.

SEAL


Linda Jurecka

Notary Public in and for the State of Texas



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 135974, previously issued to SAMMY KAY FOLLOWELL.

Effective this 14th day of March, 2008.

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