BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS
****

In the Matter of Vocational Nurse	§	
License Number 178955	§	AGREED
issued to SEANA GAYLE KREHBIEL	§	ORDER

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of SEANA GAYLE KREHBIEL, Vocational Nurse License Number 178955, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Sections 302.402(a)(10) and 301.452(b)(10), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on 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, informal conference, notice and hearing, and agreed to the entry of this Order.

3. Respondent's license to practice vocational nursing in the State of Texas is currently in delinquent status.

4. Respondent received a Certificate in Vocational Nursing from Clarendon College, Clarendon, Texas, on August 18, 2000. Respondent was licensed to practice vocational nursing in the State of Texas on January 18, 2001.

5. Respondent's complete vocational nursing employment history is unknown.

6. Formal Charges were filed on March 14, 2006, by the Board of Nurse Examiners for the State of Texas. A copy of the Formal Charges is attached and incorporated, by reference, as part of this Order.

7. Formal Charges were mailed to Respondent on March 21, 2006.

8. On May 19, 2006, Respondent paid her Texas Guaranteed Student Loan in full.

9. The Respondent's conduct described in the preceding Finding of Fact was reportable under the provisions of Sections 301.401-301.419, Texas Occupations Code.

10. 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.

11. Respondent's conduct described in the Formal Charges resulted from Respondent's dependency on chemicals.

12. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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 Section 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(1) and (3).

4. The evidence received is sufficient to prove a violation of Section 301.452(b)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §217.12(7).

5. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 178955, heretofore issued to SEANA GAYLE KREHBIEL, including revocation of Respondent's vocational license to practice nursing in the State of Texas.

6. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars ($350) payable to TPAPN.

(2) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(3) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(4) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this Order, Respondent 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 Respondent wishes to work.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice vocational 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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, and a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice vocational nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 27 day of Nov., 2006

Seana Krehbiel

SEANA GAYLE KREHBIEL, Respondent

Sworn to and subscribed before me this 27 day of Nov., 2006.

SEAL

Pat Moore

Notary Public in and for the State of Texas

PAT MOORE
NOTARY PUBLIC
STATE OF TEXAS
MY COMMISSION EXPIRES DEC 01, 2008

WHEREFORE PREMISES CONSIDERED, the Executive Director, on behalf of the Board of Nurse Examiners for the State of Texas, does hereby accept and enter the Agreed Order that was signed on the 27th day of November, 20 06, by SEANA GAYLE KREHBIEL, Vocational Nurse License Number 178955, and said Order is final.

Entered and effective this 4th day of December, 20 06.

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

In the Matter of Permanent License	§	**BEFORE THE BOARD**
Number 178955, Issued to	§	**OF NURSE EXAMINERS**
SEANA GAYLE KREHBIEL, Respondent	§	**FOR THE STATE OF TEXAS**

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, SEANA GAYLE KREHBIEL, is a Vocational Nurse holding license number 178955, which is in delinquent status at the time of this pleading.

Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.

CHARGE I.

On or about December 2003, and January 2004, while employed with Edward Abraham Memorial Home, Canadian, Texas, Respondent misappropriated Vicodin from the facility and the patients' thereof. Respondent's conduct was likely to defraud the facility and the patients thereof of the cost of the medication.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10),Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(1).

CHARGE II.

On or about December 31, 2003, and January 1, 2004, while employed with Edward Abraham Memorial Home, Canadian, Texas, Respondent withdrew two (2) Hydrocodone tablets from the narcotic system for Resident N.K. but failed to document the administration of Hydrocodone on the Medication Administration Record (MAR) and/or Nurses' Notes. Respondent's conduct was likely to injure the patient in that subsequent care givers would rely on her documentation to further medicate the patient, if the patient actually received the medication.

The above action constitutes grounds for disciplinary action in accordance with Section 302.402(a)(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(3).

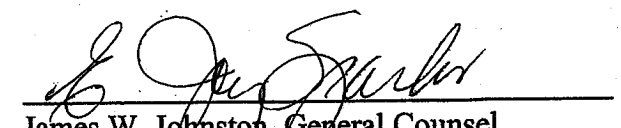
NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice nursing in the State of Texas pursuant to the Board's rules, 22 TEX. ADMIN. CODE §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to § 301.461, TEX. OCC. CODE ANN. The cost of proceedings shall include, but is not limited to, the cost paid by the board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars ($1200.00).

NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bne.state.tx.us.

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Chemical Dependency, and Fraud, Theft & Deception which can be found at the Board's website, www.bne.state.tx.us.

Filed this 14th day of March, 20 06.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS



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