

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse §
License Number 99994 §
issued to SUSAN MARIE PALMER §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Vocational Nurse License Number 99994, issued to SUSAN MARIE PALMER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

The Board makes the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Respondent is currently licensed to practice vocational nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Certificate in Vocational Nursing from Panola Junior College, Carthage, Texas, on March 1, 1983. Respondent was licensed to practice vocational nursing in the State of Texas on May 25, 1983.
4. Respondent's vocational nursing employment history is unknown.

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5. On October 24, 2008, the Board of Nursing provided notice to Respondent for the following allegations:
 - a. On or about August 26, 2007 through June 26, 2008, while employed as a Licensed Vocational Nurse with Taylor Medical Center, Longview, Texas, Respondent obtained Vicodin ES #60 from the Wal-Mart Supercenter Pharmacy, Longview, Texas, under the name of Dionna Miller, through the use of fraudulent oral or telephonically communicated prescriptions, using the name and Drug Enforcement Agency (DEA) number assigned to Michael D. Sims, PA. Engaged in the intemperate use of Narcotics, in that Respondent admitted calling in fraudulent prescriptions for Dionna Miller, Dan Miller as well as herself.
 - b. On or about August 10, 2008, while employed as a Licensed Vocational Nurse with Taylor Medical Center, Longview, Texas, Respondent obtained Vicodin ES #60 and Ultram from the Wal-Mart Supercenter Pharmacy, Longview, Texas, under the name of Dan Miller, through the use of fraudulent oral or telephonically communicated prescriptions, using the name and Drug Enforcement Agency (DEA) number assigned to Gregory Dean Jacobs, PA.
6. On November 21, 2008 Respondent returned License Number 99994 and submitted a notarized statement to the Board voluntarily surrendering the right to practice vocational nursing in Texas. A copy of the November 21, 2008 notarized statement is attached and incorporated, by reference, as part of this Order.
7. 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.
8. 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 violations of Section 301.452(b)(10) & (13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(1)(A) and 22 TEX. ADMIN. CODE §217.12(1)(B), (6)(A)&(H), (10)(B)&(E).

4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Vocational Nurse License Number 99994, heretofore issued to SUSAN MARIE PALMER, to practice vocational nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title of "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.
2. 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.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

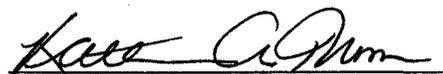
IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to Respondent's multistate licensure privilege, if any, to practice vocational nursing in compact states.

Effective this 1st day of December, 2008.



TEXAS BOARD OF NURSING

By:



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

Susan Marie Palmer
1939 B Blueridge
Longview, Texas 75605
Texas Licensed Vocational Nurse License #99994

Voluntary Surrender Statement

November 12, 2008

Dear Texas Board of Nursing:

I no longer desire to be licensed as a vocational nurse. Accordingly, I voluntarily surrender my license/licenses to practice in Texas. I, Susan Marie Palmer, waive representation by counsel and consent to the entry of an Order which outlines requirements for reinstatement of my license. I understand that I will be required to comply with the Board's Rules and Regulations in effect at the time I submit any petition for reinstatement.

Signature Susan Palmer

Date 11-21-08

Texas Vocational Nursing License Number 99994

The State of Texas

Before me, the undersigned authority, on this date personally appeared Susan Marie Palmer who, being duly sworn by me, stated that she executed the above for the purpose therein contained and that she understood same.

Sworn to before me the 21st day of November, 2008.

SEAL

Amanda Robert
Notary Public in and for the State of Texas

