

Agenda Item 11. Enforcement – Report, Recommendations, and Possible Actions.

C. Discussion and Possible Action – Consideration of Request to Issue Vocational Nurse License to Ms. Tracey Jackson Notwithstanding Her Failure to Pay Cost Recovery Award During Probation and Cancellation of Prior License.



VIA ELECTRONIC MAIL, USPS FIRST CLASS MAIL AND CERTIFIED MAIL

February 12, 2024

Tracey Jackson



Dear Tracey Jackson:

The Board of Vocational Nursing and Psychiatric Technicians (Board) received notification you have passed the NCLEX-PN Examination. Unfortunately, the Board will not be able to issue you a new vocational nurse license unless and until you have paid the remaining balance of the cost recovery award from your previous discipline case, as explained in this letter:

1. On August 31, 2005, the Board's Executive Officer, acting in her official capacity, filed an Accusation against you alleging that you falsified medical records and that you administered a controlled substance to patients without the order of a physician. You received due and legal notice of the Accusation and returned a timely Notice of Defense. As a result, the matter was referred to the Office of Administrative Hearings and was scheduled for hearing before an Administrative Law Judge.
2. The Administrative Law Judge heard the matter on October 23, 2006. The Attorney General represented the Board's Executive Officer as the complainant in the matter. Attorney Ronald White represented you as the respondent in the matter. You were present at the hearing and had a full and fair opportunity to present your defense to the Accusation. During the hearing, the Administrative Law Judge received oral and documentary evidence. The record was closed and the matter was submitted for a Proposed Decision at the conclusion of the hearing.
3. On November 17, 2006, the Administrative Law Judge issued a Proposed Decision finding cause to revoke or suspend your vocational nurse license and ordering the license be revoked with the revocation stayed and the license be placed on probation for three years subject to certain terms and conditions of

probation. The Proposed Decision also awarded cost reimbursement to the Board in the amount of \$11,614.25 and made the payment of the cost award a condition of probation.

4. By Decision dated December 27, 2007, and effective January 26, 2007, the Board adopted the Proposed Decision of the Administrative Law Judge dated November 17, 2006. You received due and legal notice of the Board's Decision and did not seek reconsideration by the Board or review in the Superior Court. The Decision became effective and your license was placed on three years of probation beginning January 26, 2007.

5. The three-year probation period ended January 26, 2010. You failed to pay any part of the cost reimbursement award during your probation. By letter dated January 25, 2010, you were notified that the three year probation period was completed, that you had a remaining balance for cost reimbursement of \$11,614.25 and that your vocational nurse license could not be renewed unless the full balance of the cost reimbursement award was paid. You subsequently failed to pay the balance of the cost reimbursement award and you were not permitted to renew your license. Your license expired on January 31, 2011.

6. After the expiration of your license, you failed to renew the license within four years and, as a result, the license was cancelled, meaning that it could not be renewed, restored, reissued, or reinstated and you would be required apply for and obtain a new license as provided in Business and Professions Code section 28912.4. Issuance of a new license required the absence of any fact, circumstance, or condition which, if the license were issued, would justify its revocation or suspension, payment all of the fees that would be required of an applicant for a new license, and taking and passing the examination which would be required of an applicant for a new license.

7. Your failure to pay the cost reimbursement award in full constitutes a fact, circumstance, or condition that would justify the revocation or suspension of a new license if it were issued. Your failure to pay the cost reimbursement award demonstrates a lack of rehabilitation. In Precedential Decision number 2022-01, the Board held that the payment of cost reimbursement serves an important rehabilitative function by making licentiates who have been disciplined confront the impacts of their actions and deterring future misconduct thereby promoting public protection. The Proposed Decision, as adopted by the Board Decision, provided that the Board would not renew or reinstate the license of a licensee

who has failed to pay all costs. Therefore, your failure to pay the cost award in full prevents the Board from issuing you a new license.

8. While you have failed to make any voluntary payments toward the cost recovery award, the Board has received a total of \$1,100.00 in tax refund intercepts through the Interagency Intercept Collection Program administered by the Franchise Tax Board for the State Controller, pursuant to Government Code sections 12419.2-3, 12419.5, and 12419.7-12, and State Administrative Manual section 8293.4. The Board has credited the \$1,100.00 in tax intercepts it has received toward the cost reimbursement award, leaving a remaining balance of \$10,514.25. You are required to pay this remaining balance in full and before the Board may issue you a new license.

Based on the facts and circumstances and for the reasons explained in this letter, the Board has determined that it will not be able to issue you a new vocational nurse license unless and until you have paid the remaining balance of the cost recovery award in full. If you disagree with this determination, you may request that the Board review it in public session at a future Board meeting.

Signed,



Jeffrey Weiler
Probation Manager

Historic Communications from BVNPT to Licensee and Legal documentation



January 25, 2010

Tracey Cyvette Jackson, VN
[REDACTED]

Re: Case No. VN-2002-528

Dear Ms. Jackson:

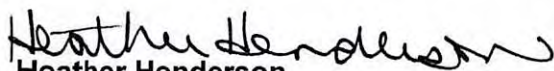
This is to inform you that your probation with the Board of Vocational Nursing and Psychiatric Technicians (Board) was completed on January 25, 2010.

As of this date, Board records indicate the balance remaining for reimbursement of the costs associated with the investigation and enforcement of your case is **\$11,214.25**. In accordance with Business and Professions Code Section 125.3(g)(1), the Board shall not renew the license of a licentiate who has failed to pay all the costs ordered under this section. **You are hereby notified that you will not be allowed to renew your license until full reimbursement of the costs associated with investigation and enforcement of your case is received.**

Please remember, as a licensed vocational nurse, you are responsible for obeying all laws set forth in the Vocational Nursing Practice Act. It is critical that your patients, employer and coworkers are able to trust you to use good judgement in every situation, to operate within your scope of practice and be honest and ethical at all times.

If you have any questions, please contact me at (916) 263-7844.

Sincerely,


Heather Henderson
Enforcement Program Analyst

HH:mm



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**BOARD OF VOCATIONAL NURSING
AND PSYCHIATRIC TECHNICIANS**

2535 CAPITOL OAKS DRIVE, SUITE 205
SACRAMENTO, CALIFORNIA 95833-2945
TELEPHONE (916) 263-7800; FAX (916) 263-7859
INTERNET ADDRESS: <http://www.bvnpt.ca.gov>

**CERTIFIED MAIL**

December 27, 2006

Tracey Jackson
[REDACTED]

Dear Ms. Jackson:

Enclosed is the Decision of the Board of Vocational Nursing and Psychiatric Technicians (Board) in the matter of the Accusation against your vocational nurse license number VN 118759. Your license is revoked. However, the revocation is stayed, and you are placed on probation for three (3) years. The effective date of the Decision is **January 26, 2007**.

As **one** condition of probation, you must reimburse the Board for the investigation and enforcement costs in the amount of eleven thousand six hundred fourteen dollars and twenty-five cents (\$11,614.25).

As **another** condition of probation, you must obtain prior approval from the Board, before commencing any employment, regarding the level of supervision provided while employed as a licensed vocational nurse. You may not function as a charge nurse during the period of probation except as approved, in writing, by the Board.

You may not work for a nurses registry, as a faculty member in an accredited or approved school of nursing, or as an instructor in a Board approved continuing education course.

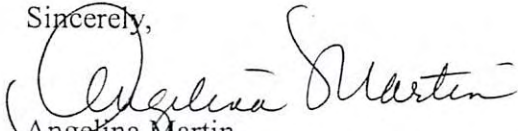
You must submit quarterly reports to the Board. Your first report is due no later than April 7, 2007. An instruction sheet and four blank reporting forms are enclosed for your convenience. Please review the instruction sheet carefully before completing the report form.

You will be scheduled for a personal meeting with Board staff within sixty (60) days from the effective date of the decision. You will be notified of the date, time and location of that meeting by certified mail approximately one month before the meeting date. At that meeting, Board staff will review the terms of your probation with you and answer any questions you may have.

Tracey Jackson
December 27, 2006
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It is very important that you comply with the conditions of your probation. Noncompliance can result in the revocation of your license. If you have any questions, please contact Marilyn Kimble, Enforcement Analyst, at (916) 263-7817.

Sincerely,


Angelina Martin
Program Manager

Enclosures: California Code of Regulations, Sections 2522 and 2522.5.
California Administrative Procedures Act, Sections 11518, 11519, 11521, and 11522.
Standards for Reinstatement or Reduction of Penalty.
Business and Professions Code Section 2878.7.
Four (4) Quarterly Report Forms and Quarterly Report Instruction Sheet.

cc: Daniel Juarez, Administrative Law Judge
Terrence M. Mason, Deputy Attorney General
Ronald White, Attorney at Law

AM:aw

BEFORE THE
BOARD OF VOCATIONAL NURSING
AND PSYCHIATRIC TECHNICIANS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

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In the Matter of the Accusation
Against:

Case No. 6829

TRACEY JACKSON



OAH No. L2006040109

Vocational Nurse License
Number VN 118759

Respondent.

DECISION

The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Board of Vocational Nursing and Psychiatric Technicians as the Final Decision in the above entitled matter.

This Decision shall become effective on January 26, 2007.

IT IS SO ORDERED this 27TH day of December, 2006.

A handwritten signature in cursive script that reads "Sister Marie de Porres Taylor".

Sister Marie de Porres Taylor
President

2. Complainant's Accusation alleges that revocation or suspension of Respondent's vocational nursing license is warranted for falsifying the records of five patients, identified as patients A through E, and administering Ativan, a controlled substance, to each of the five patients without a physician's order. For these actions, Complainant cited violations of Business and Professions Code sections 2859, subdivision (a)¹, 2878, subdivisions (a), (d), and (j), 2878.5, subdivision (e), and California Code of Regulations, title 16, sections 2878.5, subdivisions (a) and (b), and 2878.6, subdivision (a)(2).² The Accusation further alleges mistreatment and/or abuse of a patient. (Bus. & Prof. Code § 2878, subs. (a) & (a)(4).) At hearing, Complainant's counsel stated that Complainant is amenable to disciplinary action less severe than revocation.

3. At hearing, Respondent admitted to a number of Complainant's allegations, as they related to patients A through C. She denied Complainant's allegations relating to patient's D and E. Respondent argued the circumstances surrounding her actions mitigated the severity of her transgressions.

4. For the reasons set forth below, Complainant's Accusation is sustained in part and denied in part.

5. Respondent has consistently held a vocational nursing license since November 10, 1983, without any disciplinary action taken against her by the Board of Vocational Nursing and Psychiatric Technicians (the Board), until this action. Respondent's vocational nursing license expires on January 31, 2007, unless renewed, and was in effect at all times relevant to this action.

6. For an undisclosed number of years, Respondent worked at a 16-bed locked acute psychiatric hospital for minors aged 11 to 17, in Torrance, California. Respondent's actions as a licensed vocational nurse described herein occurred while she was working as a vocational nurse in the 16-bed locked hospital.

¹ In the Accusation, Complainant cited Business and Professions Code section 2859 subdivision (a), though that statutory provision contains no subdivisions. (Exhibit 1 [Accusation at p. 4].) In another portion of the Accusation, however, Complainant cited section 2859 noting no subdivision. (Exhibit 1 [Accusation at p. 2].) The citation to subdivision (a) is deemed an error, and Business and Professions Code section 2859 will be applied where Complainant cited to section 2859, subdivision (a).

² Complainant's citation to California Code of Regulations, title 16, sections 2878.5, subdivisions (a) and (b), and 2878.6, subdivision (a)(2) are incorrect. (Exhibit 1 [Accusation at p. 7].) In another portion of the Accusation, however, Complainant properly cited the regulatory sections as 2518.5, subdivisions (a) and (b), and 2518.6, subdivision (a)(2). (Exhibit 1 [Accusation at p. 4].) The citations to sections 2878.5 and 2878.6 are deemed errors and California Code of Regulations, title 16, sections 2518.5 and 2518.6 will be applied where Complainant cited to sections 2878.5 and 2878.6.

7. On or about March 29, 2001, while Respondent was holding a small paper cup containing drinking water, a patient spat in Respondent's face. Respondent reacted by throwing the drinking water at the spitting patient. Thereafter, the hospital administration issued Respondent a written warning that her action was unprofessional. Respondent regrets throwing water on the patient and understands it was wrong.

8. On September 10, 2002, Respondent obtained and administered Ativan to five patients without a doctor's authorization. Respondent documented the administration of Ativan in patients D and E's records, noting that the patients' treating physicians had telephonically authorized the Ativan. However, the treating physicians had not authorized the use of Ativan. Respondent did not document the administration of Ativan to patients A, B, and C anywhere in their respective records.

9. At hearing, Respondent stipulated to the truth of paragraphs 16, subdivisions (a) and (b), 18, subdivisions (a), (b), and (c), 20, and 21 of the Accusation, as follows:

(a) Respondent is subject to disciplinary action pursuant to section 2875 for unprofessional conduct as defined in 2878(a) in that while employed at Starview Adolescent Center, Torrance, California Respondent failed to carrying [sic] out usual vocational nursing functions as follows:

(1) In or around March 2001, Respondent committed unprofessional conduct when she lost her temper and threw water on a child.

(2) During a period from August 7, 2002 through September 10, 2002, Respondent committed unprofessional conduct when she took Ativan from the Emergency kit without authorization or a physician's order.

(b) Respondent is subject to disciplinary action pursuant to section 2875 for unprofessional conduct in violation of section 2878(j) and 2878.5(e) in that during a period from on or about August 7, 2002 through September 10, 2002, Respondent falsified records and diverted Ativan as follows:

(1) [Regarding patient A,] on August 7, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 1 mg tab. There was no physician's order for Ativan 1 mg tab. Respondent failed to account for the disposition of the medication in any patient or facility record.

(2) [Regarding patient B,] on August 12, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 1 mg tab. On August 20, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2 mg tab. There was no physician's order for Ativan. Respondent failed to account for the disposition of the medication in any patient or facility record.

(3) [Regarding patient C,] on August 8, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2 mg tab. On August 11, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2 mg tab. On August 27, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2 mg tab. On September 2, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2 mg tab. There was no physician's order for Ativan. Respondent failed to account for the disposition of the medication in any patient or facility record.

(c) Respondent is subject to disciplinary action pursuant to section 2875 for unprofessional conduct in violation of section 2878(d) and Title 16, California Code of Regulations, section 2878.5³ in that Respondent admitted that she obtained Ativan, a controlled substance, from Starview Adolescent Center, without a physician's order.

(d) [As to patients A, B, and C,] Respondent is subject to disciplinary action pursuant to section 2875 for unprofessional conduct in violation of section 2878(d) and Title 16, California Code of Regulations, section 2878.6(a)(2)⁴ in that Respondent failed to document patient care in any patient or facility record

10. Respondent's work environment was chaotic, patients would sometimes become violent, and crises of all sorts would frequently erupt in Respondent's unit. Respondent asserted her supervision was minimal and sometimes non-existent, and therefore, in order to resolve patient crises, she would obtain and administer medication before obtaining physician authorization. Respondent took it as her responsibility to resolve the problems that would arise on her unit. Respondent asserted it was the hospital's custom and practice to allow her to administer medication to patients without prior physician authorization because, according to her, she would regularly act to successfully quell patient problems. She would always obtain a doctor's order afterward. The evidence did not prove Respondent's supervision was minimal or non-existent at the time she administered Ativan to patients A through E. (See Legal Conclusion 18, *post.*) The evidence did not prove the hospital had a custom and practice of allowing her to administer medication without physician authorization. (See Legal Conclusion 18, *post.*)

11. When Respondent administered Ativan to patients A through E, she felt that the chaotic and crisis-laden environment necessitated her immediate action to calm the patients and secure each patient's safety. Respondent presumed each patient's doctor would authorize her administration of Ativan after the fact. The patients' doctors did not. To support her assertion that she maintained the patients' safety as her primary goal, Respondent

³ See, n. 2, ante.

⁴ See, n. 2, ante.

testified that when she administered the Ativan to each of the five patients, she administered the medication in the same manner and dosage, and in response to similar behavior she had noted previously. The evidence, however, did not prove Respondent's assertion. (See Legal Conclusion 18, *post.*) Nonetheless, the five patients were not harmed by Respondent's administration of Ativan. Respondent failed to document the administration of Ativan in the charts of patients A, B, and C because she did not access the charts timely.

12. The Board engaged the California Division of Investigation to investigate Respondent's actions. On March 9, 2004, the Board's investigator collected a urine sample from Respondent for the drug screen. On March 11, 2004, the laboratory results showed Respondent had no illegal drugs in her system. Respondent cooperated fully with the Board's investigation.

13. Respondent also stipulated that she was subject to disciplinary action for unprofessional conduct, pursuant to Business and Professions Code section 2878, subdivision (a)(4), when she threw water on an adolescent patient in 2001 (Factual Finding 7, *ante.*) However, she did not accept Complainant's characterization of her action as mistreatment or abuse.

14. At hearing, Complainant proffered the testimony of a nursing consultant. The nursing consultant opined that Respondent's actions in administering the Ativan constituted unprofessional conduct, gross negligence and a severe departure from the standard of practice for a licensed vocational nurse. The nursing consultant opined that by administering Ativan, Respondent acted outside the scope of a vocational nurse's practice and showed a conscious disregard for patient safety and welfare. The nursing consultant explained that by giving the Ativan without a doctor's authorization, Respondent risked unknown chemical contraindications, unknown changes in the manner of administration and/or dosage, and unknown side effects. The nursing consultant further opined Respondent acted unprofessionally when she threw water on a patient in 2001, describing Respondent's act as patient mistreatment and abuse.

15. Despite the actions complained of by Complainant, Respondent takes her job seriously. She enjoys her job and finds great meaning in being a vocational nurse. She has, in her 23 years of practice, held her patient's safety paramount.

16. The Board incurred \$3,000 in costs to investigate this matter through the California Division of Investigation, and \$8,614.25 in costs to prosecute this matter through the California Department of Justice, Office of the Attorney General. Via his declaration, Complainant's counsel made a good faith estimate that the Office of the Attorney General would incur and bill an additional \$1,145.50 (7.25 additional hours) up to the first day of hearing.

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LEGAL CONCLUSIONS

1. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for failing to practice vocational nursing under the direction of a licensed physician or registered professional nurse, pursuant to Business and Professions Code section 2859, as set forth in Factual Findings 1, 5-6, 8-11, 14-15, and Legal Conclusions 10 and 16.

2. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for unprofessional conduct (throwing water on a patient, taking Ativan without authorization, and falsely documenting a physician orders), pursuant to Business and Professions Code section 2878, subdivision (a), as set forth in Factual Findings 1, 5-11, 13-15, and Legal Conclusions 11, 16-19.

3. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for unprofessional conduct constituting mistreatment of a patient (throwing water on a patient), pursuant to Business and Professions Code section 2878, subdivision (a)(4), as set forth in Factual Findings 1, 5-7, 13-15, and Legal Conclusions 11 and 19.

4. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for unprofessional conduct (falsifying records), pursuant to Business and Professions Code sections 2878, subdivision (j), and 2878.5, subdivision (e), as set forth in Factual Findings 1, 5-6, 8-11, 15, and Legal Conclusions 11-12, and 16-18.

5. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for medication administration without a physician's order, pursuant to Business and Professions Code section 2875, and California Code of Regulations, title 16, sections 2518.5, subdivisions (a) and (b), as set forth in Factual Findings 1, 5-6, 8-9, 11, 14, and Legal Conclusions 9, 14, and 16.

6. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for obtaining Ativan without a physician's order, pursuant to Business and Professions Code section 2878, subdivision (d), and California Code of Regulations, title 16, section 2518.5, subdivision (a), as set forth in Factual Findings 1, 5-6, 8-11, 14-15, and Legal Conclusions 11, 14, and 16.

7. Cause exists to revoke or suspend Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759, for failing to document patient care, pursuant to Business and Professions Code section 2878, subdivision (d), and California Code of Regulations, title 16, section 2518.6, subdivision (a)(2), as set forth in Factual Findings 1, 5-6, 8-9, 11, and Legal Conclusions 11, 15, and 17.

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8. Cause exists to award reasonable costs, pursuant to Business and Professions Code section 125.3, as set forth in Factual Findings 1, 5-11, 13-14, 16, and Legal Conclusions 13, 16-17, 19-21.

9. Business and Professions Code section 2875 states:

Every licensee may be disciplined as provided in this article. The proceedings under this article shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of title 2 of the Government Code, and the board shall have all the powers granted therein.

10. Business and Professions Code section 2859 states in pertinent part:

The practice of vocational nursing within the meaning of this chapter is the performance of services requiring those technical, manual skills acquired by means of a course in an accredited school of vocational nursing, or its equivalent, practiced under the direction of a licensed physician, or registered professional nurse, as defined in Section 2725 of the Business and Professions Code.

11. Business and Professions Code section 2878 states in pertinent part:

The board may suspend or revoke a license issued under this chapter for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(1) Incompetence, or gross negligence in carrying out usual nursing functions.

(2) A conviction of practicing medicine without a license in violation of Chapter 5 (commencing with Section 2000), in which event the record of conviction shall be conclusive evidence of the conviction.

(3) The use of advertising relating to nursing which violates Section 17500.

(4) The use of excessive force upon or the mistreatment or abuse of any patient. For the purposes of this paragraph, "excessive force" means force clearly in excess of that which would normally be applied in similar clinical circumstances.

(5) The failure to maintain confidentiality of patient medical information, except as disclosure is otherwise permitted or required by law.

(6) Failure to report the commission of any act prohibited by this section.

[¶] . . . [¶]

(d) Violating . . . directly or indirectly . . . any provision or term of this chapter.

[¶] . . . [¶]

(j) The commission of any act involving dishonesty, when that action is related to the duties and functions of the licensee.

12. Business and Professions Code 2878.5, subdivision (e) states in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter, it is unprofessional conduct for a person licensed under this chapter to do any of the following:

[¶] . . . [¶]

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to narcotics or dangerous drugs.

13. Business and Professions Code section 125.3, subdivision (a) states in pertinent part:

(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department . . . the board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

14. California Code of Regulations, title 16, section 2518.5 states in pertinent part:

The licensed vocational nurse performs services requiring technical and manual skills which include the following:

(a) Uses and practices basic assessment (data collection), participates in planning, executes interventions in accordance with the care plan or treatment plan, and contributes to evaluation of individualized interventions related to the care plan or treatment plan.

(b) Provides direct patient/client care by which the licensee:

(1) Performs basic nursing services as defined in subdivision (a);

(2) Administers medications.

15. California Code of Regulations, title 16, section 2518.6 states in pertinent part:

(a) A licensed vocational nurse shall safeguard patients'/clients' health and safety by actions which include but are not limited to the following:

(2) Documenting patient/client care in accordance with standards of the profession.

16. Respondent's acts of obtaining Ativan and administering it to five patients without physician authorization constituted the practice of vocational nursing without the direction of a licensed physician or registered professional nurse, acts of unprofessional conduct, and gross negligence. Complainant's nurse consultant identified the various risks Respondent took by administering Ativan without the direction of a doctor or registered nurse. Respondent risked those potential harms on each of the five patients by her actions. However, it is noted that none of the five patients were harmed. Respondent credibly described the chaotic nature of her working environment and the eruption of unanticipated crises. Nonetheless, such crises should be anticipated in a locked psychiatric hospital, and the patients in that crisis-laden environment depended on Respondent to act with professionalism and follow the proper course of action to medicate a patient. In circumventing the appropriate course of action, Respondent allowed for potential harm. Respondent's actions were in violation of Business and Professions Code sections 2859, 2878, subdivisions (a) and (d), and California Code of Regulations, title 16, section 2518.5, subdivisions (a) and (b).

17. Respondent's acts of documenting physician authorization of Ativan for patients D and E, and failing to document the administration of Ativan to patients A, B, and C are acts of unprofessional conduct and gross negligence. Respondent never obtained physician authorization for patients D and E, and never documented the administration of Ativan to patients A, B, and C. Respondent's actions violated Business and Professions Code sections 2878, subdivisions (a), (d), and (j), 2878.5, subdivision (e), and California Code of Regulations title 16, section 2518.6, subdivision (a)(2).

18. Respondent did not prove the hospital tacitly allowed her to medicate patients without a physician's order. Respondent offered only her own testimony to establish her

assertion. It was insufficient. Similarly, she did not prove that she was compelled to medicate patients without authorization due to minimal or non-existent supervision. Her testimony was insufficient to establish that assertion as well. Additionally, the evidence did not establish she administered Ativan to the five patients in the same manner and dosage and for similar behaviors as previously noted in their respective records. However, Respondent did testify credibly that she was primarily concerned with each of the patients' best interests and safety when she administered the Ativan. She meant to quell the crises that erupted with each patient in a safe manner, but she used poor judgment in doing so without physician authorization.

19. Respondent's act of throwing water on a patient is unprofessional conduct and mistreatment of a patient. The patient's act of spitting on Respondent's face was demeaning. However, Respondent, as a licensed vocational nurse in a locked psychiatric hospital cannot reciprocate with another demeaning act. Her actions failed to consider whether the patient's mental health was the impetus to the inappropriate behavior. Therefore, Respondent's act constituted mistreatment of a patient as well as unprofessional conduct, in violation of Business and Professions Code section 2878, subdivisions (a) and (a)(4). However, there was no evidence that the patient was physically harmed in any way. There was no evidence that Respondent had ever acted similarly in her 23 years of vocational nursing. Moreover, the benign nature in which Respondent impulsively wet the patient, in reaction to being spit on, while not exculpatory, nonetheless lessens the severity of her action.

20. All of Respondent's actions must also be considered in the context of a 23-year career in vocational nursing with no history of Board discipline. Moreover, Complainant's posture at hearing, being amenable to discipline less severe than revocation, is noted. Therefore, the public will be adequately protected by revoking Respondent's license, but staying that revocation and issuing a probationary license with specified terms and conditions.

21. Complainant established sufficient evidence to grant Complainant \$11,614.25 in costs, pursuant to Business and Professions Code section 123.5. Complainant did not establish that Complainant's counsel incurred the additional 7.25 hours of preparation time he estimated, therefore, the additional \$1,145.50 was not granted.

ORDER

Respondent Tracey Cyvette Jackson's vocational nursing license no. VN 118759 is revoked; provided, however, that the revocation is stayed for a period of three years and a probationary vocational nursing license shall be issued to Respondent upon the following terms and conditions.

1. OBEY ALL LAWS

Respondent shall obey all federal, state and local laws, including all statutes and regulations governing the license. Respondent shall submit, in writing, a full and detailed account of any

and all violations of the law to the Board within five days of occurrence. To ensure compliance with this term, Respondent shall submit two completed fingerprint cards and the applicable fingerprint processing fees to the Board within 30 days of the effective date of the decision, unless the Board determines that fingerprint cards were already submitted by the Respondent as part of her licensure application process effective July 1, 1996. Respondent shall also submit a recent 2" x 2" photograph of herself within 30 days of the effective date of the decision.

2. COMPLIANCE WITH PROBATION PROGRAM AND QUARTERLY REPORT REQUIREMENTS

Respondent shall fully comply with terms and conditions of the probation established by the Board and shall cooperate with the representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Probation Program.

Respondent shall submit quarterly reports, under penalty of perjury, in a form required by the Board. The reports shall certify and document compliance with all the conditions of probation.

3. NOTIFICATION OF ADDRESS AND TELEPHONE NUMBER CHANGE(S)

Respondent shall notify the Board, in writing, within five days of a change of residence or mailing address, of her new address and any change in her work and/or home telephone numbers.

4. NOTIFICATION OF RESIDENCY OR PRACTICE OUTSIDE OF STATE

Respondent shall notify the Board, in writing, within five days, if she leaves California to reside or practice in another state.

Respondent shall notify the Board, in writing, within five days, upon her return to California.

The period of probation shall not run during the time Respondent is residing or practicing outside California.

5. NOTIFICATION TO EMPLOYER(S)

When currently employed or applying for employment in any capacity in any health care profession, Respondent shall notify her employer of the probationary status of Respondent's license. This notification to the Respondent's current health care employer shall occur no later than the effective date of the Decision. Respondent shall notify any prospective health care employer of her probationary status with the Board prior to accepting such employment. This notification shall be by providing the employer or prospective employer with a copy of the Board's Accusation and Disciplinary Decision.

The Health Care Profession includes, but is not limited to: Licensed Vocational Nurse, Psychiatric Technician, Registered Nurse, Medical Assistant, Paramedic, Emergency Medical Technician, Certified Nursing Assistant, Home Health Aide, and all other ancillary technical health care positions.

Respondent shall cause each health care employer to submit quarterly reports to the Board. The reports shall be on a form provided by the Board, shall include a performance evaluation and such other information as may be required by the Board.

Respondent shall notify the Board, in writing, within five days of any change in employment status. Respondent shall notify the Board, in writing, if she is terminated from any nursing or health care related employment with a full explanation of the circumstances surrounding the termination.

6. INTERVIEWS/MEETINGS WITH BOARD REPRESENTATIVE(S)

Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board, or its designated representatives.

7. EMPLOYMENT REQUIREMENTS AND LIMITATIONS

During probation, Respondent shall work in her licensed capacity in the State of California. This practice shall consist of no less than six continuous months and of no less than 20 hours per week.

While on probation, Respondent shall not work for a nurses' registry or in any private duty position, a temporary nurse placement agency, as a faculty member in an accredited or approved school of nursing, or as an instructor in a Board approved continuing education course except as approved, in writing, by the Board. Respondent shall work only on a regularly assigned, identified and predetermined work site(s) and shall not work in a float capacity except as approved, in writing, by the Board.

8. SUPERVISION REQUIREMENTS

Respondent shall obtain prior approval from the Board, before commencing any employment, regarding the level of supervision provided to the respondent while employed as a licensed vocational nurse or psychiatric technician.

Respondent shall not function as a charge nurse (i.e., work in any healthcare setting as the person who oversees or directs licensed vocational nurses, psychiatric technicians, certified nursing assistants or unlicensed assistive personnel) or supervising psychiatric technician during the period of probation except as approved, in writing, by the Board.

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///

9. COMPLETION OF EDUCATIONAL COURSE(S)

Respondent, at her own expense, shall enroll and successfully complete a course(s) substantially related to the violation(s) no later than the end of the first year of probation; or the Respondent shall be suspended from practice, until she has enrolled in and has successfully completed the specified coursework.

*Law & Ethics
30 hrs.*

The coursework shall be in addition to that required for license renewal. The Board shall notify the Respondent of the course content and number of contact hours required. Within 30 days of the Board's written notification of assigned coursework, Respondent shall submit a written plan to comply with this requirement. The Board shall approve such plan prior to enrollment in any course of study.

Upon successful completion of the course, Respondent shall cause the instructor to furnish proof to the Board within 30 days of course completion.

10. MAINTENANCE OF VALID LICENSE

Respondent shall, at all times while on probation, maintain an active current license with the Board, including any period during which suspension or probation is tolled.

Should Respondent's license, by operation of law or otherwise, expire, upon renewal or reinstatement Respondent's license shall be subject to any and all terms of this probation not previously satisfied.

11. COSTS

Within 90 calendar days from the effective date of the Decision or other period agreed to by the Board or its designee, Respondent shall reimburse the Board \$11,614.25, for its investigative and prosecution costs. The filing of bankruptcy or period of non-practice as a licensed vocational nurse by Respondent shall not relieve her obligation to reimburse the Board for its costs.

12. COST RECOVERY REQUIREMENTS

Respondent shall make timely payment as directed in the Board's Decision pursuant to Business and Professions Code Section 125.3. Failure to make payments in accordance with any formal agreement entered into with the Board or pursuant to any Decision by the Board shall be considered a violation of probation.

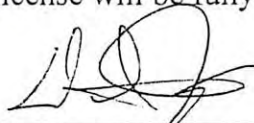
The Board may conditionally renew or reinstate, for a maximum of one year, the license of any respondent who demonstrates financial hardship. Respondent shall enter into a formal agreement with the Board to reimburse the unpaid costs within that one-year period.

Except as provided above, the Board shall not renew or reinstate the license of any respondent who has failed to pay all the costs as directed in a Decision.

13. VIOLATION OF PROBATION

If Respondent violates the conditions of her probation, the Board after giving the Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation) of the Respondent's license. If during the period of probation, an accusation or petition to revoke has been filed against Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board. Upon successful completion of probation, Respondent's license will be fully restored.

Dated: November 17, 2006




DANIEL JUAREZ
Administrative Law Judge
Office of Administrative Hearings

Accusation No. 6829
Board of Vocational Nursing and Psychiatric Technicians

1 BILL LOCKYER, Attorney General
of the State of California
2 TERRENCE MASON, State Bar No. 158935
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-6294
5 Facsimile: (213) 897-2804
6 Attorneys for Complainant

7
8 **BEFORE THE**
9 **BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:
12 TRACEY CYVETTE JACKSON
13 
14 Vocational Nurse License No. VN 118759
15 Respondent.

Case No. 6829
OAH No.
A C C U S A T I O N

16
17 Complainant alleges:

18 PARTIES

- 19 1. Teresa Bello-Jones, J.D., M.S.N., R.N., Executive Officer (Complainant)
20 brings this Accusation solely in her official capacity as the Executive Officer of the Board of
21 Vocational Nursing and Psychiatric Technicians (Board), Department of Consumer Affairs.
22 2. On or about November 10, 1983, the Board issued Vocational Nurse
23 License No. VN 118759 to Tracey Cyvette Jackson (Respondent). The license was in full force
24 and effect at all times relevant to the charges brought herein and will expire on January 31, 2007,
25 unless renewed.

26 JURISDICTION

27 3. This Accusation is brought before the Board, Department of Consumer
28 Affairs, under the authority of the following laws. All section references are to the Business and

1 Professions Code unless otherwise indicated.

2 4. Section 2875 provides, in pertinent part, that the Board may discipline the
3 holder of a vocational nurse license for any reason provided in Article 3 (commencing with
4 section 2875) of the Vocational Nursing Practice Act.

5 5. Section 2859 provides, that the practice of vocational nursing within the
6 meaning of this chapter is the performance of services requiring those technical, manual skills
7 acquired by means of a course in an accredited school of vocational nursing, or its
8 equivalent, practiced under the direction of a licensed physician, or registered professional nurse,
9 as defined in Section 2725 of the Business and Professions Code.

10 6. Section 118(b) provides, in pertinent part, that the expiration of a license
11 shall not deprive the Board jurisdiction to proceed with a disciplinary action during the period
12 within which the license may be renewed, restored, reissued or reinstated. Under section 2892.1
13 of the Code, the Board may renew an expired license at any time within four years after the
14 expiration.

15 7. Section 2878 states:

16 "The Board may suspend or revoke a license issued under this chapter [the
17 Vocational Nursing Practice Act (Bus. & Prof. Code, § 2840, et seq.)] for any of the following:

18 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

19

20 "(1) Incompetence, or gross negligence in carrying out usual nursing functions.

21

22 "(4) The use of excessive force upon or the mistreatment or abuse of any patient.

23 For the purposes of this paragraph, 'excessive force' means force clearly in excess of that which
24 would normally be applied in similar clinical circumstances.

25

26 "(j) The commission of any act involving dishonesty, when that action is related
27 to the duties and functions of the licensee."

28 ///

1 8. Section 2878.5 states:

2 "In addition to other acts constituting unprofessional conduct within the meaning
3 of this chapter [the Vocational Nursing Practice Act] it is unprofessional conduct for a person
4 licensed under this chapter to do any of the following:

5 "(a) Obtain or possess in violation of law, or prescribe, or except as directed by a
6 licensed physician and surgeon, dentist or podiatrist administer to himself or herself or furnish or
7 administer to another, any controlled substance as defined in Division 10 of the Health and
8 Safety Code, or any dangerous drug as defined in Article 8 (commencing with Section 4210) of
9 Chapter 9 of Division 2 of this code.

10 "(b) Use any controlled substance as defined in Division 10 of the Health and
11 Safety Code, or any dangerous drug as defined in Article 8 (commencing with Section 4210) of
12 Chapter 9 of Division 2 of this code, or alcoholic beverages, to an extent or in a manner
13 dangerous or injurious to himself or herself, any other person, or the public, or to the extent that
14 such use impairs his or her ability to conduct with safety to the public the practice authorized by
15 his or her license.

16

17 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible
18 entries in any hospital, patient, or other record pertaining to narcotics or dangerous drugs as
19 specified in subdivision (b)."

20 9. Section 2878.8 of the Code states:

21 "The board may deny any application or may suspend or revoke any license issued
22 under this chapter [the Vocational Nursing Practice Act] based upon the denial of licensure,
23 suspension, restriction, or other disciplinary action of a license by another state, any other
24 government agency, or by another California health care professional licensing board. A
25 certified copy of the finding shall be conclusive evidence of that action provided that, if from
26 another state, the findings establish an act which if committed in California would be grounds for
27 discipline."

28 ///

1 direction of a physician when she admitted that she administered Ativan to patients without a
2 physician's order.

3 **SECOND CAUSE FOR DISCIPLINE**

4 **(Unprofessional Conduct)**

5 16. Respondent is subject to disciplinary action pursuant to section 2875 for
6 unprofessional conduct as defined in 2878(a) in that while employed at Starview Adolescent
7 Center, Torrance, California Respondent failed to carrying out usual vocational nursing functions
8 as follows:

9 a. In or around March 2001, Respondent committed unprofessional
10 conduct when she lost her temper and threw water on a child.

11 b. During a period from August 7, 2002 through September 10, 2002,
12 Respondent committed unprofessional conduct when she took Ativan from the Emergency kit
13 without authorization or a physician's order.

14 c. During a period from August 7, 2002 through September 10, 2002,
15 Respondent committed unprofessional conduct when she falsified physician's orders for Ativan.

16 **THIRD CAUSE FOR DISCIPLINE**

17 **(Mistreatment or Abuse of a Patient)**

18 17. Respondent is subject to disciplinary action pursuant to section 2878(a)(4)
19 for unprofessional conduct in that Respondent mistreated or abused an adolescent by throwing
20 water on the patient.

21 **FOURTH CAUSE FOR DISCIPLINE**

22 **(Falsified Records/Diversion)**

23 18. Respondent is subject to disciplinary action pursuant to section 2875 for
24 unprofessional conduct in violation of sections 2878(j) and 2878.5(e) in that during a period from
25 on or about August 7, 2002 through September 10, 2002, Respondent falsified records and
26 diverted Ativan as follows:

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Patient A

a. On August 7, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 1mg tab. There was no physician's order for Ativan 1mg tab. Respondent failed to account for the disposition of the medication in any patient or facility record.

Patient B

b. On August 12, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 1mg tab. On August 20, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2mg tab. There was no physician's order for Ativan. Respondent failed to account for the disposition of the medication in any patient or facility record.

Patient C

c. On August 8, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2mg tab. On August 11, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2mg tab. On August 27, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2mg tab. On September 2, 2002, the Emergency Kit Billing Form reflects that Respondent signed out Lorazepam (Ativan) 2mg tab. There was no physician's order for Ativan. Respondent failed to account for the disposition of the medication in any patient or facility record.

Patient D

d. On September 10, 2002, the Emergency Drug Supply Log reflects that Respondent signed out Ativan 1mg tab. Respondent falsely charted that the physician had telephonically prescribed medication.

Patient E

e. On September 10, 2002, the Emergency Drug Supply Log reflects that Respondent signed out Ativan 2mg tab. Respondent falsely charted that the physician had

///

1 telephonically prescribed the medications. Respondent failed to account for the disposition of
2 the remaining 1mg of Ativan in any patient or facility record.

3 **FIFTH CAUSE FOR DISCIPLINE**

4 **(Medication Administration)**

5 19. Respondent is subject to disciplinary action pursuant to section 2875 in
6 violation of section Title 16, California Code of Regulations, sections 2878.5(a) and (b) in that
7 Respondent failed to adhere to the standards of a vocational nurse when she administered Ativan
8 to patients without a physician's order as described above in paragraph 18.

9 **SIXTH CAUSE FOR DISCIPLINE**

10 **(Possession of a Controlled Substance)**

11 20. Respondent is subject to disciplinary action pursuant to section 2875 for
12 unprofessional conduct in violation of section 2878(d) and Title 16, California Code of
13 Regulations, section 2878.5(a) in that Respondent admitted that she obtained Ativan, a controlled
14 substance, from Starview Adolescent Center, without a physician's order.

15 **SEVENTH CAUSE FOR DISCIPLINE**

16 **(Failure to Document Patient Care)**

17 21. Respondent is subject to disciplinary action pursuant to section 2875 for
18 unprofessional conduct in violation of section 2878(d) and Title 16, California Code of
19 Regulations, section 2878.6(a)(2) in that Respondent failed to document patient care in any
20 patient or facility record as described above in paragraph 18.

21 **PRAYER**

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein
23 alleged, and that following the hearing, the Board of Vocational Nursing and Psychiatric
24 Technicians issue a decision:

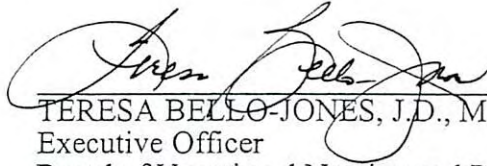
25 1. Revoking or suspending Vocational Nurse License No. VN 118759, issued
26 to Tracey Cyvette Jackson.

27 2. Ordering Tracey Cyvette Jackson to pay the Board of Vocational Nursing
28 and Psychiatric Technicians the reasonable costs of the investigation and enforcement of this

1 case, pursuant to Business and Professions Code section 125.3;

2 3. Taking such other and further action as deemed necessary and proper.

3 DATED: August 31, 2005

4
5 

6 TERESA BELLO-JONES, J.D., M.S.N., R.N.
7 Executive Officer
8 Board of Vocational Nursing and Psychiatric Technicians
9 Department of Consumer Affairs
10 State of California
11 Complainant

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**DECLARATION OF SERVICE BY CERTIFIED MAIL
AND
DECLARATION OF SERVICE BY FIRST CLASS MAIL**

Case Name: In the Matter of the Accusation Against:
Tracey Jackson

Case No.: 6829

I declare:

I am employed in the County of Sacramento, California, I am 18 years of age or older and not a party to the within entitled cause; my business address is 2535 Capitol Oaks Drive, Suite 205, Sacramento, California 95833-2945.


On December 27, 2006, I served the attached

COVER LETTER, DECISION, CALIFORNIA CODE OF REGULATIONS, TITLE 16, SECTIONS 2522 AND 2522.5, CALIFORNIA ADMINISTRATIVE PROCEDURES ACT, SECTIONS 11518, 11519, 11521, AND 11522, STANDARDS FOR REINSTATEMENT OR REDUCTION OF PENALTY, BUSINESS AND PROFESSIONS CODE, SECTION 2878.7, FOUR (4) QUARTERLY REPORT FORMS AND QUARTERLY REPORT INSTRUCTION SHEET

in said cause, by placing a true copy thereof enclosed in two separate sealed envelopes with postage thereon fully prepaid by Certified Mail and First Class Mail, in the United States mail at Sacramento, California, addressed as follows:

NAME/ADDRESS

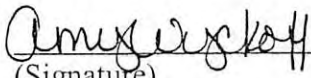
CERTIFIED MAIL NUMBER

Tracey Jackson


7006 2760 0000 7533 2336

I declare under penalty of perjury the foregoing is true and correct, and that this declaration was executed at Sacramento, California on December 27, 2006.

Amy Wyckoff
(Typed Name)


(Signature)

cc: **Daniel Juarez, Administrative Law Judge**
Terrence M. Mason, Deputy Attorney General
Ronald White, Attorney at Law



Appeals documentation submitted to the Board

Tracey Jackson



May 5, 2024

Dear Mr. Prouty

Please see attached documents stating my financial status as of 5/5/2024
I am currently unemployed at this time. I am utilizing Public Assistance for my
food and medical needs. My rent is currently delinquent. However, an outside agency
Is attempting to provide Eviction Prevention to assist me to pay the arears.

Thanking you for your Consideration

Tracey Jackson

Dear board of Vocational nursing and psychiatric technicians,

I, Tracey Cyvette Jackson, am seeking to appeal the decision made by the probationary department in reference to my LVN license approval application. Initially I was licensed by the board in 1983. Subsequently I had the privilege of working in my field of study for a period of 27 years. In 2007 I made some unethical choices and as a result I was reprimanded. I was placed on probation for a period of three years with quarterly reviews via my immediate supervisor. I was also penalized monetarily with a cost recovery fee of ten thousand dollars. I failed to meet the cost recovery requirement and as a result my nursing license was not renewed. I suffered a tremendous loss of my professional career and my ability to care for my four children was greatly affected. It is my humble request that I be allowed to resume my professional career and be granted my LVN license. In no way am I attempting to avoid cost recovery. I would like the release of my license with specific conditions for a payment plan so that I may fulfill my financial obligation and resume my professional career.

My LVN license was placed on probation in 2007 for a period of 3 years. During my probationary period I was allowed to work full-time though not with a registry. In 2011 I was informed that my license would not be renewed unless I paid restitution. The financial amount exceeded what I was capable of paying. I have not worked as an LVN since 2011.



Rent and Code Compliance Bureau

1910 Sunset Blvd, Ste 300 Los Angeles, CA 90026
Tel: 213.808.8808
housing.lacity.org



Karen Bass, Mayor
Ann Sewill, General Manager

Dear Board of Vocational Nursing and Psychiatric Technicians

This letter is written to provide some insight into the character of Tracey Cyvette Jackson. I have known Tracey for over 30 years and have had the opportunity to observe her resilience despite some setbacks. Her ability to keep moving forward while facing many parents' challenges while providing for their children as a single mom has been impressive. Tracey is very passionate about giving guidance in the realm of self-care and healthy living information, and with over 27 years of experience, this information always provides value to the recipients. It is my sincere hope and prayer that Ms Jackson will be allowed to have her license restored, so she can pick back up where she left off by providing excellent patient care and service to our constituents. Don't hesitate to get in touch with me at [REDACTED] if you need additional information to support a favorable decision.

Sincerely

Daniel Williams
Bureau Chief Inspector, Code Enforcement

Board of Vocational Nursing and Psychiatric Technicians
2535 Capitol Oaks Drive
Suite 205
Sacramento, CA 98533

April 11, 2024

This letter is my personal character reference for Tracey Jackson. I have known Tracey for 41 years. Tracey is the mother of my nephew and nieces. I refer to Tracey as my sister in law, although my brother and Tracey have not been together for years. When I first met Tracey, she was working as a Licensed Vocational Nurse at a skilled care facility.

I have never worked with Tracey but what has always been impressed me by her knowledge of her professional field and her compassion for the sick or those in need. Tracey has excellent communication skills. She is clear and concise in general and I believe that carries over into her work.

My father had dementia the last seven years of his life. Tracey was a major part of my support system. When I needed a break as a caregiver Tracey was there. Tracey ensured my father was clean, fed, and secure. Tracey assisted my father in maintaining his dignity during the most vulnerable time of his life. I will forever be grateful for the care and compassion Tracey gave my father. This is who Tracey is. She truly believes the sick deserve compassion and to be treated with respect to have maintain their sense of dignity.

I have been a patient in a hospital on three instances and I believe not everyone has the heart to be a nurse. I believe Tracey has the heart of a nurse. Nursing is part of her purpose.

Please feel free to contact me directly at [REDACTED] if you have any questions or need further information.

Sincerely,

Andrea Smith

Jesse Jones



April 4th, 2024

My name is Jesse Jones, I am a retired Sergeant First Class of the United States Army for 35 years. I have worked as Registered Nurse for 20 years. Currently I work for Kaiser Permanente on a Post-Surgical Unit, which has staffing assignments of 26 beds.

As a Registered Nurse I am held to a very high standard in my community. I am accountable for patient safety, medical administration, planning and implementing nursing care for each and every patient who is admitted for care.

I have had to opportunity and pleasure to have known Ms. Tracey Jackson for 20 years. Tracey is a competent, empathic, compassionate, accountable and responsible person who is always willing to do her very best at whatever she does. Tracey is someone that I would trust if given the opportunity to work along bedside with her. Tracey is a skillful and trustworthy person who is respected in the community. Tracey treats everyone with dignity and respect. Tracey has devoted her time and energy to helping others.

If given the opportunity to practice nursing under the direction and supervision of a RN, I feel strongly that Tracey would practice honesty, openminded approach and integrity with dedication and commitment to helping others in her community.

**Sincerely,
Jesse Jones
Registered Nurse**

Chaplain Olga Carrillo



Dear Members of the Board,

My name is Olga Carrillo, licensed Minister and Chaplain Overseer of Divine Connections Ministry.

I'm writing this letter on behalf of Tracey Jackson, who is seeking reinstatement of her Vocational Nursing License. As her friend, mentor and spiritual advisor, I'm appealing to the Board's understanding and compassion in considering her reinstatement.

Tracey has undergone a period of reflection and personal growth since the revocation of her license. I have personally known Tracey for almost 30 years. She acknowledges her mistakes that led to this outcome and has taken proactive steps to address and rectify them. She has demonstrated a sincere commitment to professional development and ethical conduct.

Furthermore, she is eager to re-enter the workforce and contribute positively to the healthcare community once again. I understand the importance of upholding the standards and integrity of the vocational nursing and psychiatric technician professions.

However, I urge the Board to consider the circumstances surrounding Tracey's case with fairness and leniency. She has shown genuine remorse and a strong desire to make amends.

Granting Tracey, the opportunity to reinstate her license would not only benefit her personally but also allow her to continue serving patients with the dedication and competence she has demonstrated in the past.

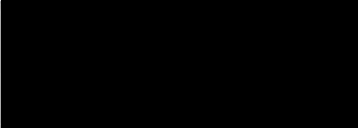
I appreciate your time and attention. Please feel free to contact me directly for any further clarification.

Respectfully,

Chaplain Olga Carrillo



Veronica Love, M.P.A.
Program Manager
Department of Health Services



Los Angeles County
Board of Supervisors

Hilda L. Solis
First District

Holly J. Mitchell
Second District

Lindsey P. Horvath
Third District

Janice K. Hahn
Fourth District

Kathryn Barger
Fifth District

April 8, 2024

The Board of Vocational Nursing
and Psychiatric Technicians

Dear Sir/Madam,

I am writing this letter on behalf of Tracey C. Jackson. In the decision made by the Board of Vocational Nursing regarding her nursing license and disciplinary action.

I have worked in the field of Human Services for 25 years advocating for women and their families for basic needs such as food, clothing, housing, substance use and health care services, in underserved communities where there were limited to no services being provided or readily available. This has been my passion and expertise, in educating women and their families on how to access and advocate for services and support. Currently I work for the Department of Health Services, Housing for Health. Housing for Health is a cohesive team of clinicians, community health workers, program administrators, contract managers, and other professionals who collaborate with multiple County departments, community-based service providers, cities, and other partners to provide housing and critical services to tens of thousands of homeless and formerly homeless people in LA County. Within the County's homeless services continuum, Housing for Health programs work to meet the needs of people with complex health and behavioral health conditions.

Prior to my non-profit years, I have been a county employee for the past (18) eighteen years. Today, I serve as high level Program Manager/Administrator, at Housing for Health. Our goals are to create housing opportunities, to reduce inappropriate use of expensive healthcare resources and to improve the health and wellbeing of vulnerable populations. My contribution is currently working under the California Advancing & Innovating Medi-Cal (Cal AIM) Implementation Program. Offering Manage Care Benefits to provide a more complete care coordination and care management to our clients. In addition, I provide training and technical assistance to our contractors to ensure Quality Assurance and Management.

I have known Tracey for well over thirty-six (36) years. We met at an event where our children attended school in the late 1980's and learned early on that we had many commonalities during our upbringing and as young adults. We both were single parents, working

Christina R. Ghaly, M.D.
Director

Hal F. Yee, Jr., M.D., Ph.D.
Chief Deputy Director, Clinical Affairs

Nina J. Park, M.D.
Chief Deputy Director, Population Health

Elizabeth M. Jacobi, J.D.
Administrative Deputy

Housing for Health
655 Maple Avenue
Los Angeles, CA. 90014

www.dhs.lacounty.gov

"To advance the health of our patients and our communities by providing extraordinary care"



www.dhs.lacounty.gov

hard daily, to provide for and raise our children with good values and morals. We quickly became best friends. We trusted, encouraged, prayed for, and helped one another in every capacity needed as single parents. We were pretty much inseparable and still today, have an unbroken bond. Tracey has always been an excellent mother. She adored, treasured, protected and was very attentive to her children. She exemplified joy and love in being a mother and in caring for her children. Those same attributes I saw her personify in being a nurse in caring for people and patients. Being a nurse is who Tracey is more so than the credentials she earned. Meaning that, I believe God purposed and embedded in her to care for people. She does it naturally without second guessing or a blinking of an eye. I have seen her show up for many people with a helping and compassionate heart. Recently, I fell and fractured my knee and could not walk for three (3) months. Tracey does not have a car, yet still found a way to show up to my home ninety miles out of Los Angeles where she resides, to assist and take care of me. There are many examples like this that I can attest to and exemplify how she has shown up to help people even those she did not quite know. Since she lost her nursing license/career I have witnessed firsthand how difficult it has been for her to recover mentally, emotionally, and especially financially. I have seen her homeless, living in shelters (I drove her to one), becoming housed again, and struggling to make ends meet. I have seen her taking mediocre jobs solely to provide for her family. I have yet to see any job replace the joy and fulfillment she received from being a nurse.

I truly believe that if she was given an opportunity to right her wrong that the Board of Vocational Nursing would not regret it! I believe she deserves a second chance and opportunity in a field she is purposed to do. In my experience, you do not find too many nurses today who truly care, have compassion, are tentative, show empathy for people and truly pride themselves in their profession like Tracey. I know this firsthand as being a patient many times and not experiencing this level of care on the receiving end. Tracey demonstrates these skills naturally, when necessary, not because of what she is, it's because of who she is.

In conclusion, all I can say is that in the many years that I have known her she has always aspired to do nothing but nursing and to help people deal with illness and assist in treatment. It has never been an issue of competition or salary, but rather a genuine desire to better the world and the quality of life for people. I humbly recommend that the Board of Vocational Nursing and Psychiatric Technicians take into immense regard this character letter written on behalf of my friend, whom I call my sister, Tracey C. Jackson and respectfully consider reinstating her nursing license.

If you have any questions or concerns, you may contact me via email at

████████████████████
Thank you for your time and consideration.

Respectfully,



Veronica Love, M.P.A.
Program Manager
Housing for Health