



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.
Sharon Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse
License Number 173931
issued to SHAWN MEGAIL WASHINGTON

§ AGREED
§
§ ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of SHAWN MEGAIL WASHINGTON, Vocational Nurse License Number 173931, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 302.402(a)(10)(eff. 9/1/2001), and 301.452(b)(2)&(10)(eff. 9/1/2003), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on March 23, 2012, by Katherine A. Thomas, MN, RN, FAAN, 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(s).
2. Respondent waived representation by counsel, informal proceedings, 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 Victoria College, Cuero, Texas, on August 12, 1999. Respondent was licensed to practice vocational nursing in the State of Texas on October 13, 1999.
5. Respondent's professional nursing employment history is unknown.

6. On or about August 8, 2002, Respondent plead guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED, a Class B misdemeanor offense committed on July 4, 2002, in the County Court of Dewitt County, Texas, under Cause No. 2002-12427. As a result of the conviction, Respondent was sentenced to confinement in the Dewitt County Jail for a period of three (3) days and ordered to pay a fine and court costs.
7. On or about July 16, 2003, Respondent plead guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED, a Class B misdemeanor offense committed on May 10, 2003, in the County Court, Jackson County, Texas, under Cause No. 19426. As a result, Respondent was sentenced to confinement in the county jail for a period of one hundred eighty (180) days; however, imposition of the sentence of confinement was suspended and Respondent was placed on probation for a period of one (1) year and ordered to pay a fine and court costs. On or about January 21, 2004, Respondent's probation granted under Cause No. 19426, was revoked and Respondent was sentenced to confinement in the Jackson County Detention Center for a period of four (4) months with credit for time served (fine and court costs waived).
8. On or about July 17, 2003, Respondent plead guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED ENHANCED, a Class B misdemeanor offense committed on May 13, 2003, in the County Court of DeWitt County, Texas, under Cause No. 2003-12866. As a result, Respondent was sentenced to confinement in the DeWitt County Jail for a period of six (6) days and ordered to pay a fine and court costs.
9. On or about April 22, 2004, Respondent submitted a LVN License Renewal Form to the Board of Nurse Examiners for the State of Texas in which he answered "Yes" to the question:

"Were you convicted of a misdemeanor other than a minor traffic violation since your last renewal?"

Respondent disclosed that, on or about December 12, 2003, Respondent was arrested by the Cuero Police Department, Cuero, Texas, and was subsequently charged under Cause No. 200413202, for EVADING ARREST/DET USING VEHICLE, a State Jail Felony offense and Cause No. 200413201, for POSSESSION MARIJUANA <2 OZ, a Class B misdemeanor offense.

Respondent failed to disclose that, on or about August 8, 2002, Respondent plead guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED, a Class B misdemeanor offense committed on July 4, 2002, in the County Court of Dewitt County, Texas, under Cause No. 2002-12427.

Respondent failed to disclose that, on or about July 16, 2003, Respondent plead guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED, a Class B misdemeanor offense committed on May 10, 2003, in the County Court, Jackson County, Texas, under Cause No. 19426.

Respondent failed to disclose that, on or about July 17, 2003, Respondent plead guilty and was convicted of DRIVING WHILE LICENSE SUSPENDED ENHANCED, a Class B misdemeanor offense committed on May 13, 2003, in the County Court of DeWitt County, Texas, under Cause No. 2003-12866.

10. In response to Findings of Fact Numbers Six (6) through Nine (9), Respondent states: He did not disclose the traffic offenses because on the renewal application for LVN, he thought that it did not require that specific information. Respondent is aware that the offenses were deemed misdemeanors (class B) by the courts, but on the renewal applications it did not specifically state Class A, B, or C misdemeanors, as far as traffic violations. He was not aware that Class B traffic violations needed to be disclosed. Respondent just assumed they were minor and did not disclose his traffic violations to the TBN. Respondent sincerely apologizes and hopes that he can maintain his LVN license in Texas.

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 violation of Section 302.402(a)(10)(eff. 9/1/2001), and 301.452(b)(2)&(10)(eff. 9/1/2003), Texas Occupations Code, and 22 TEX. ADMIN. CODE 239.11(eff. 9/1/2001), and §239.11(8)(eff. 2/1/2004).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 173931, heretofore issued to SHAWN MEGAIL WASHINGTON, including revocation of Respondent's license(s) to practice nursing in the State of Texas.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of REMEDIAL EDUCATION AND A FINE, and RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Texas Occupations Code §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that, while under the terms of this Order, this Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.

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

IT IS FURTHER AGREED and ORDERED that while Respondent's license(s) is/are encumbered by this Order, Respondent may not work outside the State of Texas pursuant to a nurse licensure compact 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 that:

(1) RESPONDENT SHALL pay a monetary fine in the amount of two hundred fifty dollars (\$250.00). RESPONDENT SHALL pay this fine within forty-five (45) days of entry of this Order. Payment is to be made directly to the Texas Board of Nursing in the form of cashier's check or U.S. money order. Partial payments will not be accepted.

(2) RESPONDENT SHALL, within one (1) year of entry of this Order, successfully complete a course in Texas nursing jurisprudence and ethics. RESPONDENT SHALL obtain Board approval of the course prior to enrollment only if the course is not being offered by a pre-approved provider. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience shall include nurses. It shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder;

and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. RESPONDENT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify RESPONDENT'S successful completion of the course. This course shall be taken in addition to any other courses stipulated in this Order, if any, and in addition to any continuing education requirements the Board has for relicensure. *Board-approved courses may be found at the following Board website address:*

<http://www.bon.state.tx.us/disciplinaryaction/stipscourses.html>

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, all encumbrances will be removed from RESPONDENT'S license(s) to practice nursing in the State of Texas and RESPONDENT shall be eligible for nurse licensure compact privileges, if any.

BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

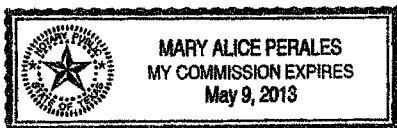
I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, 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(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 9th day of May, 2012.
Shawn Megail Washington
SHAWN MEGAIL WASHINGTON, Respondent

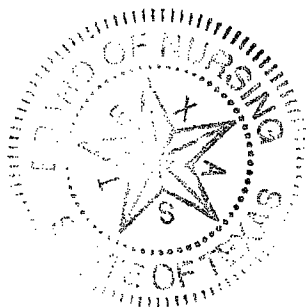
Sworn to and subscribed before me this 9th day of May, 2012.

SEAL

Mary Alice Perales
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 ratify and adopt the Agreed Order that was signed on the 9th day of May, 2012, by SHAWN MEGAIL WASHINGTON, Vocational Nurse License Number 173931, and said Order is final.



Effective this 14th day of May, 2012.

Katherine A. Thomas

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