



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.
Katherine A. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Vocational Nurse § AGREED
License Number 150212 §
issued to GLENDA ARTIE STEWART ATENCIO § ORDER

On this day the Texas Board of Nursing, hereinafter referred to as the Board, considered the matter of GLENDA ARTIE STEWART ATENCIO, Vocational Nurse License Number 150212, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated TEX. REV. CIV. STAT. ART. 4528c, Sec. 10(a)(2)&(9)(effective 9/1/1993), and Section 301.452(b)(2)&(10), Texas Occupations Code. Respondent waived representation by counsel, informal proceedings, notice and hearing, and agreed to the entry of this Order offered on November 30, 2011, 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'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 Pacific Coast College, Santa Ana, California, on December 18, 1992. Respondent was licensed to practice vocational nursing in the State of Texas on October 27, 1994.
5. Respondent's nursing employment history is unknown.

6. On or about June 1, 1994, Respondent submitted an Application for Licensure by Endorsement to the Texas Board of Vocational Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you ever been convicted and/or pled guilty to a felony or misdemeanor other than a minor traffic violation? "

Respondent failed to disclose that on or about April 29, 1975, Respondent was arrested in Ventura County, California, and subsequently charged with Count 1 of Section 207 of the California Penal Code and Count 2 of Section 278 of the California Penal Code. On or about July 17, 1975, Count 2 of Section 278 of the California Penal Code was dismissed in the Superior Court of Ventura County, California. On or about July 17, 1975, Respondent pled Guilty and was convicted of KIDNAPPING, a Felony offense committed on April 29, 1975, in the Superior Court of Ventura County, California, under Cause Number CR11179. As a result of the conviction, Respondent was sentenced to confinement in the Ventura County Jail for a period of ninety (90) days; however, imposition of the sentence of confinement was suspended, and Respondent was placed on probation for a period of thirty-six (36) months.

7. On or about April 10, 2007, Respondent pled Guilty and was convicted of DRIVING WHILE LICENSE INVALID, a Class B Misdemeanor offense committed on November 4, 2005, in the County Court of Hamilton County, Texas, under Cause No. CR13998. As a result of the conviction, Respondent was sentenced to confinement in the Hamilton County Jail for a period of three (3) days, and was ordered to pay a fine and court costs.

8. On or about September 25, 2007, Respondent submitted a Texas Online Renewal Document Licensed Vocational Nurse to the Board of Nurse Examiners for the State of Texas in which she provided false, deceptive, and/or misleading information, in that she answered "No" to the question:

"Have you ever been convicted, placed on community supervision whether or not adjudicated guilty, sentenced to serve jail or prison time or granted pre-trial diversion, or plead guilty, no contest or nolo contendere to any crime in any state, territory or country, received a court order whether or not a sentence was imposed, including any pending criminal charges or unresolved arrest whether or not on appeal (excluding minor Class C traffic violations)? This includes expunged offenses and deferred adjudication with or without a finding of guilt. Please note that DUIs, DWIs, PI's must be reported and are not considered minor traffic violations. One time minor in possession [MIP] or minor in consumption [MIC] do not need to be disclosed; therefore, you may answer "No." If you have two or more MIPs or MICs, you must answer "Yes." You may answer "No" if you have previously disclosed a criminal matter otherwise responsive to this question in a renewal and/or licensure form."

Respondent failed to disclose that on or about April 10, 2007, Respondent entered a plea of Guilty and was convicted of DRIVING WHILE LICENSE INVALID, a Class B Misdemeanor offense committed on November 4, 2005, in the County Court of Hamilton County, Texas, under Cause No. CR13998.

8. In response to Findings of Fact Numbers Six (6) through Eight(8), Respondent states: It was her understanding that the charges were removed from her record after five years, as it was a family incident. She has contacted an attorney from California, and he is in the process of having the charges removed from her record. She can forward the documentation from Bernstein Law Office. It was her understanding that the charge had been removed from her record before she had become a nurse. Her mother was driving the car and the lights were blinking. R/T post eye surgery a week prior, she took over driving to prevent an accident. It was for everyone's safety, not to disregard the law. She thought driving while drivers license invalid was a traffic violation.
9. Formal Charges were filed on September 2, 2011.
10. Formal Charges were mailed to Respondent on September 7, 2011.

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 TEX. REV. CIV. STAT. ART. 4528c, Sec. 10(a)(2)&(9)(effective 9/1/1993), and Section 301.452(b)(2)&(10), Texas Occupations Code, and 22 TEX. ADMIN. CODE §239.11(8)(effective 9/1/1993), and 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).
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 150212, heretofore issued to GLENDA ARTIE STEWART ATENCIO, 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 a 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, 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>.

(2) RESPONDENT SHALL pay a monetary fine in the amount of five hundred dollars (\$500). 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.

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.

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RESPONDENT'S CERTIFICATION

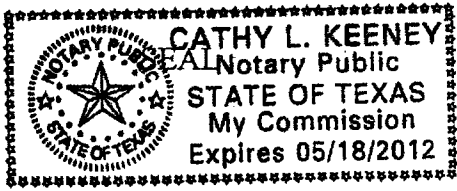
I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that 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 30 day of December, 2011.
Glenda Artie Stewart - Atencio

GLENDA ARTIE STEWART ATENCIO, Respondent

Sworn to and subscribed before me this 30th day of Dec., 2011.




Cathy L. Keeney

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 30th day of December, 2011, by GLENDA ARTIE STEWART ATENCIO, Vocational Nurse License Number 150212, and said Order is final.



Effective this 5th day of January, 2012.


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