

Respondent's vocational nursing employment history (continued):

| | | |
|--------------------------------|---------|--|
| 06/06 - 08/06 02/2009 | LVN | Trinity Mother Frances Rehab Hospital Tyler, TX |
| 02/2009 | LVN | American Medical Staffing Tyler, TX |
| 06/09 - 09/09 02/10 - 07/10 | LVN | Reunion Plaza Senior Rehab Center Tyler, TX |
| 08/10 - Present | Unknown | |

6. On or about May 31, 2011, Respondent submitted her License Renewal Form to the Texas Board of Nursing in which she provided false, deceptive, and/or misleading information in that she answered "No" to the question:

Have you, within the past 24 months or since your last renewal, for any criminal offense, including those pending appeal:

- H. been arrested or have any pending criminal charges?
- I. been cited or charged with any violation of the law?

On or about April 4, 2011, Respondent was arrested by the Tyler Police Department, Tyler, Texas, for FRAUDULENT POSSESSION OF A CONTROLLED SUBSTANCE/PRESCRIPTION SCHEDULE III/IV (a 3rd Degree Felony offense committed on April 4, 2011) and was pending at the time of her renewal. Respondent's conduct was deceiving to the Board and may have affected the Board's decision to renew her license.

7. On or about May 2, 2012, Respondent entered a plea of Guilty to FRAUDULENT POSSESSION OF A CONTROLLED SUBSTANCE/PRESCRIPTION (a 3rd Degree Felony offense committed on April 4, 2011), which was filed in the 241st District Court of Smith County, Tyler, Texas, under Cause No. 241-0034-12. As a result of the guilty plea, the proceedings against Respondent were deferred without entering an adjudication of guilt, and Respondent was placed on probation for a period of two (2) years. Additionally, Respondent was ordered to pay a fine, restitution, and court costs.
8. In response to Findings of Fact Numbers Six (6) and Seven (7), Respondent states she was in the process of moving at the time she submitted her renewal and must have mailed the wrong copy to the Board. Respondent admits to the offense and confirms that she was placed on probation for a period of two (2) years.
9. Formal Charges were filed on June 11, 2012.

10. Formal Charges were mailed to Respondent on June 13, 2012.
11. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice nursing in the State of Texas.
12. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.

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 22 TEX. ADMIN. CODE §217.12(6)(I)&(13).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(2),(3)&(10), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 201933, heretofore issued to BETHANY JOYCE RECTOR, including revocation of Respondent's license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.453(d), Texas Occupations Code, and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

BALANCE OF PAGE INTENTIONALLY LEFT BLANK.

CONTINUED ON NEXT PAGE.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of Vocational Nurse License Number 201933, heretofore issued to BETHANY JOYCE RECTOR, to practice nursing in the State of Texas, is accepted by the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice vocational nursing, use the title "Licensed Vocational Nurse" or the abbreviation "LVN" or wear any insignia identifying herself as a Licensed Vocational Nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a Licensed Vocational Nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order; and, RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

BALANCE OF 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 violation 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 this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

Signed this 8th day of August, 2012.

BETHANY JOYCE RECTOR-WATSON
BETHANY JOYCE RECTOR, Respondent


Sworn to and subscribed before me this 8 day of August, 2012.



Pat K. Millican
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 accept the voluntary surrender of Vocational Nurse License Number 201933, previously issued to BETHANY JOYCE RECTOR.

Effective this 9th day of August, 2012.



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

